

Legislative Journal

MONDAY, APRIL 18, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 28

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

O God, as the shadows of this day lengthen and the noon-tide hour giveth way to evening, we recognize that we are still with Thee, for Thou art ever by our side and dost not leave us comfortless without Thy abiding love and care.

We pray that Thou wilt strengthen us as we turn to Thee in the quiet moments of this day; that Thou wilt abide with us when the conflicts and anxieties of life beset each of us; that Thou wilt enable us to bring forth that which is acceptable and pleasing unto Thee; and that Thou wilt bestow upon us the benediction of Thy heavenly peace. To Thee be praise both now and forevermore. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Journals for Wednesday, March 23, Tuesday, April 5, Wednesday, April 6, and Monday, April 11, 1983, are now in print. Without objection, and the Chair hears no objection, these Journals are approved as printed.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, April 13, 1983, will be postponed until the Journal is printed. The Chair hears no objection.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip on leaves of absence.

Mr. O'DONNELL. Thank you, Mr. Speaker.

We request a leave of absence for the entire week for the gentleman from Allegheny, Mr. ITKIN.

The SPEAKER. Without objection, leave is granted. The Chair hears no objection.

The Chair recognizes the minority whip for leaves of absence.

Mr. HAYES. Thank you, Mr. Speaker.

I request leave for the lady from Chester, Mrs. TAYLOR, for the week, and the lady from Susquehanna, Miss SIRIANNI, for the day.

The SPEAKER. Without objection, leaves are granted. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 798 By Representatives REBER, BUNT, LASHINGER, B. SMITH, HASAY, MORRIS, HERSHEY, VROON, CORNELL and McINTYRE

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), changing the definition of "document."

Referred to Committee on FINANCE, April 18, 1983.

No. 799 By Representatives HUTCHINSON, MANDERINO, PETRARCA, KUKOVICH, DOMBROWSKI, SALOOM, VAN HORNE and STAIRS

An Act making an appropriation to the Clelian Heights School for Exceptional Children.

Referred to Committee on APPROPRIATIONS, April 18, 1983.

No. 800 By Representative D. R. WRIGHT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of studded tires by emergency vehicles.

Referred to Committee on TRANSPORTATION, April 18, 1983.

No. 801 By Representative D. R. WRIGHT

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), further providing for the temporary suspension of required motor vehicle insurance.

Referred to Committee on INSURANCE, April 18, 1983.

No. 802 By Representatives RICHARDSON, IRVIS, WIGGINS, DEAL, CARN, PRESTON,

WILLIAMS, D. R. WRIGHT, DeWEESE,
WOZNIAK, LINTON, TRUMAN and
R. C. WRIGHT

An Act amending the act of February 17, 1906 (P. L. 45, No. 11), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," prohibiting State depositories from maintaining financial transactions with the Republic of South Africa.

Referred to Committee on FINANCE, April 18, 1983.

No. 803 By Representatives RICHARDSON, IRVIS,
FATTAH, DEAL, CARN, PRESTON,
WILLIAMS, D. R. WRIGHT, DeWEESE,
WIGGINS, WOZNIAK, LINTON,
TRUMAN, LEVIN and R. C. WRIGHT

An Act providing priorities for the investment of public moneys.

Referred to Committee on FINANCE, April 18, 1983.

No. 804 By Representatives RICHARDSON, IRVIS,
FATTAH, DEAL, CARN, PRESTON,
WILLIAMS, D. R. WRIGHT, DeWEESE,
WIGGINS, WOZNIAK, LINTON,
TRUMAN, LEVIN and R. C. WRIGHT

An Act requiring cities to enact responsible investment ordinances requiring the withdrawal of city funds from banks and business entities doing business with the Republic of South Africa.

Referred to Committee on FINANCE, April 18, 1983.

No. 805 By Representatives RICHARDSON, IRVIS,
PRESTON, LINTON, EVANS, WILLIAMS,
DeWEESE, WIGGINS, FATTAH and
WOZNIAK

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further providing for award of contracts.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 806 By Representatives RICHARDSON, IRVIS,
PRESTON, MILLER, LINTON, EVANS,
WILLIAMS, D. R. WRIGHT, DAWIDA,
DeWEESE, WIGGINS, FATTAH,
WAMBACH and R. C. WRIGHT

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 807 By Representatives RICHARDSON, IRVIS,
PRESTON, MILLER, LINTON, EVANS,
WILLIAMS, D. R. WRIGHT, DeWEESE,

WIGGINS, FATTAH, WAMBACH and
R. C. WRIGHT

An Act authorizing business set-asides for minority and small businesses by certain municipalities.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 808 By Representatives RICHARDSON, IRVIS,
PRESTON, LINTON, EVANS, WILLIAMS,
DeWEESE, WIGGINS, FATTAH,
WAMBACH and R. C. WRIGHT

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 809 By Representatives RICHARDSON, IRVIS,
PRESTON, LINTON, EVANS, WILLIAMS,
DeWEESE, WIGGINS, FATTAH,
WAMBACH, R. C. WRIGHT and
DAWIDA

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 810 By Representatives RICHARDSON, IRVIS,
PRESTON, MILLER, LINTON, EVANS,
WILLIAMS, DeWEESE, WIGGINS,
FATTAH, DEAL, WAMBACH and
R. C. WRIGHT

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 811 By Representatives RICHARDSON, IRVIS,
PRESTON, LINTON, EVANS, WILLIAMS,
DeWEESE, WIGGINS, FATTAH,
WAMBACH and R. C. WRIGHT

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 812 By Representatives RICHARDSON, IRVIS,
PRESTON, LINTON, EVANS, WILLIAMS,
DeWEESE, WIGGINS, FATTAH,
WAMBACH and R. C. WRIGHT

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 813 By Representatives RICHARDSON, IRVIS, PRESTON, MILLER, LINTON, EVANS, WILLIAMS, DeWEESE, WIGGINS, FATTAH, WOZNAK and R. C. WRIGHT

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), authorizing business set-asides for minority and small businesses.

Referred to Committee on BUSINESS AND COMMERCE, April 18, 1983.

No. 814 By Representatives CLYMER, SCHULER, HASAY, BELFANTI, CAWLEY, CIMINI, GODSHALL, REBER, SHOWERS, SIRIANNI, HERSHEY, MERRY and BURD

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for exclusions from sales tax.

Referred to Committee on FINANCE, April 18, 1983.

SENATE BILL FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bill for concurrence:

SB 385, PN 580

Referred to Committee on EDUCATION, April 18, 1983.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 67 By Representatives RICHARDSON, IRVIS, WIGGINS, DEAL, CARN, PRESTON, WILLIAMS, DeWEESE, FATTAH, FREEMAN, WAMBACH and R. C. WRIGHT

Protesting the sale of South Africa gold currency within the Commonwealth.

Referred to Committee on RULES, April 18, 1983.

No. 68 By Representatives RICHARDSON, IRVIS, WIGGINS, DEAL, CARN, PRESTON, WILLIAMS, D. R. WRIGHT, DeWEESE, FATTAH, WOZNAK, LINTON, TRUMAN, LEVIN and R. C. WRIGHT

Relating to the granting of credit to South Africa by the Export-Import Bank.

Referred to Committee on FEDERAL-STATE RELATIONS, April 18, 1983.

No. 69 By Representatives RICHARDSON, IRVIS, WIGGINS, DEAL, CARN, PRESTON, WILLIAMS, D. R. WRIGHT, DeWEESE, FATTAH, WOZNAK, LINTON, TRUMAN and R. C. WRIGHT

Relating to economic sanctions placed against Namibia.

Referred to Committee on FEDERAL-STATE RELATIONS, April 18, 1983.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call for the day. All members will report promptly to the floor. The master roll call will now be taken.

The following roll call was recorded:

PRESENT—197

Afflerbach	Durham	Linton	Richardson
Alderette	Evans	Livengood	Rieger
Angstadt	Fargo	Lloyd	Robbins
Armstrong	Fattah	Lucyk	Rudy
Arly	Fee	McCall	Ryan
Baldwin	Fischer	McClatchy	Rybak
Barber	Flick	McHale	Saloom
Battisto	Foster, W. W.	McIntyre	Salvatore
Belardi	Foster, Jr., A.	McMonagle	Saurman
Belfanti	Freeman	McVerry	Scheetz
Beloff	Freind	Mackowski	Schuler
Blaum	Fryer	Madigan	Semmel
Book	Gallagher	Maiale	Serafini
Bowser	Gallen	Manderino	Seventy
Boyes	Gamble	Manmiller	Showers
Brandt	Gannon	Markosek	Smith, B.
Broujos	Geist	Marmion	Smith, L. E.
Bunt	George	Mayernik	Snyder, D. W.
Burd	Gladeck	Merry	Spencer
Burns	Godshall	Michlovic	Spitz
Callagirono	Greenwood	Micozzie	Stairs
Cappabianca	Grieco	Miller	Steighner
Carn	Gruitza	Miscevich	Stevens
Cawley	Gruppo	Moehlmann	Stewart
Cessar	Hagarty	Morris	Stuban
Cimini	Haluska	Mowery	Sweet
Civera	Harper	Mrkonic	Swift
Clark	Hasay	Murphy	Taylor, F. E.
Clymer	Hayes	Nahill	Telek
Cohen	Herman	Noye	Tigue
Colafella	Hershey	O'Brien	Trello
Cole	Hoeffel	O'Donnell	Truman
Cordisco	Honaman	Olasz	Van Horne
Cornell	Hutchinson	Oliver	Vroon
Coslett	Jackson	Perzel	Wachob
Cowell	Jarolin	Peterson	Wambach
Coy	Johnson	Petrarca	Wargo
DeLuca	Kasunic	Petrone	Wass
DeVerter	Kennedy	Phillips	Wiggins
DeWeese	Klingaman	Piccola	Williams
Daley	Kosinski	Pievsky	Wilson
Davies	Kowalyshyn	Pistella	Wogan
Dawida	Kukovich	Pitts	Wozniak
Deal	Lashinger	Pott	Wright, D. R.
Dietz	Laughlin	Pratt	Wright, J. L.
Dininni	Lehr	Preston	Wright, R. C.
Dombrowski	Lescovitz	Punt	
Donatucci	Letterman	Rappaport	Irvis,
Dorr	Levi	Reber	Speaker
Duffy	Levin	Reinard	

ADDITIONS—2

Snyder, G. M. Zwickl

NOT VOTING—1

Weston

EXCUSED—3

Itkin Sirianni Taylor, E. Z.

LEAVE ADDED—1

Weston

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman rise?

Mr. HAYES. Mr. Speaker, if you would, please, return to requests for leaves of absence, I would ask that the lady from Philadelphia, Mrs. WESTON, be excused for the week.

The SPEAKER. Without objection, leave will be granted. The Chair hears no objection.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the House of Representatives a newcomer to politics who has now become a newcomer to banking. He used to be here with us, but he decided he wanted to be wealthy and he got out of political life, and now I understand he drives a Bentley, parks a Rolls on the side, and bicycles to work, Reid Bennett. Reid is one of the old fellows who decided not to get any older here.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 352, PN 396 By Rep. HUTCHINSON

An Act changing the name of the "Glasgow Bridge" in Beaver County to the "Bridge of the Northwest Territory."

TRANSPORTATION.

HB 447, PN 885 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemptions from the axle tax.

TRANSPORTATION.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The gentleman from York, Mr. G. Snyder, and the gentleman from Lehigh, Mr. Zwikl, request that their names be added to the master roll. Their names will be added to the master roll.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move, in agreement with the minority leadership, that the following bills be removed from the tabled calendar and placed on the active calendar:

- HB 322;
- HB 384;
- HB 574;
- HB 575;
- HB 582;
- HB 682; and
- SB 380.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 189, PN 586**, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), extending time for claims for unpaid taxes; and extending waiting periods.

On the question,

Will the House agree to the bill on third consideration?

Mr. OLASZ offered the following amendment No. A0407:

Amend Sec. 1 (Sec. 502), page 5, by inserting between lines 17 and 18

(e) For the purpose of this section an extension of the redemption period shall only apply to one (1) residence per taxpayer.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, the purpose of this amendment is to limit the exemption to one residence per taxpayer, and it would insure that some developers would not take refuge under this act, thus depriving municipalities and school districts from their needed revenue for an additional year.

I would appreciate your support. Thank you.

The SPEAKER. The Chair recognizes, on the question, the gentleman from Philadelphia, Mr. Fattah.

Mr. FATTAH. Mr. Speaker, I would just like to say that I am in support of this amendment. I think it is important that we do restrict the benefits in this bill so that developers do not receive any undue benefit to them. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Afflerbach	Evans	Lloyd	Robbins
Alderette	Fargo	Lucyk	Rudy
Angstadt	Fattah	McCall	Ryan
Armstrong	Fee	McClatchy	Rybak
Arty	Fischer	McHale	Saloom
Baldwin	Flick	McIntyre	Salvatore
Barber	Foster, W. W.	McMonagle	Saurman
Battisto	Foster, Jr., A.	McVerry	Scheetz
Belardi	Freeman	Mackowski	Schuler
Belfanti	Freind	Madigan	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Mayernik	Snyder, D. W.
Broujos	George	Merry	Snyder, G. M.
Bunt	Gladeck	Michlovic	Spencer
Burd	Godshall	Miller	Spitz
Burns	Greenwood	Miscevich	Stairs
Caltagirone	Gruppo	Moehlmann	Steighner

Cappabianca	Hagarty	Morris	Stevens
Carn	Haluska	Mowery	Stewart
Cawley	Harper	Mrkonic	Suban
Cessar	Hasay	Murphy	Sweet
Cimini	Hayes	Nahill	Swift
Civera	Herman	Noye	Taylor, F. E.
Clark	Hershey	O'Brien	Telek
Clymer	Hoeffel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cole	Hutchinson	Oliver	Truman
Cordisco	Jackson	Perzel	Van Horne
Cornell	Jarolin	Peterson	Vroon
Coslett	Johnson	Petrarca	Wachob
Cowell	Kasunic	Petrone	Wambach
Coy	Kennedy	Phillips	Wargo
Deluca	Klingaman	Piccola	Wass
DeVerter	Kosinski	Pievsky	Wiggins
DeWeese	Kowalshyn	Pistella	Williams
Daley	Kukovich	Pitts	Wilson
Davies	Lashingier	Pott	Wogan
Dawida	Laughlin	Pratt	Wozniak
Deal	Lehr	Preston	Wright, D. R.
Dietz	Lescovitz	Punt	Wright, J. L.
Dininni	Letterman	Rappaport	Wright, R. C.
Dombrowski	Levi	Reber	Zwinkl
Donatucci	Levin	Reinard	
Dorr	Linton	Richardson	Irvis,
Duffy	Livengood	Rieger	Speaker
Durham			

NAYS—0

NOT VOTING—4

Cohen	Grieco	Gruitza	Micozzie
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EXCUSED—4

Itkin	Sirianni	Taylor, E. Z.	Weston
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The question was determined in the affirmative, and the amendment was agreed to.

On the question,

Will the House agree to the bill on third consideration as amended?

Mr. DORR offered the following amendment No. A0333:

Amend Sec. 1 (Sec. 502), page 5, lines 12 through 17, by striking out all of said lines and inserting

(1) serious physical illness or injury if: (i) the taxpayer is a permanent resident of the Commonwealth, (ii) the illness or injury occurred in the tax year for which the taxes were assessed, (iii) the illness or injury has had a continuous debilitating effect on the taxpayer throughout the redemption period provided by section 501(a), and (iv) the illness or injury has been the dominant cause for both the initial default and for the taxpayer's failure to pay the tax by the end of the redemption period provided by section 501(a); or

(2) unemployment if: (i) the taxpayer is a permanent resident of the Commonwealth, (ii) the unemployment occurred during the tax year for which the taxes were assessed, (iii) the unemployment has continued throughout the redemption period provided by section 501(a), and (iv) the unemployment has been the dominant cause for both the initial default and the taxpayer's failure to pay the tax by the end of the redemption period provided by section 501(a).

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Thank you, Mr Speaker.

The amendment simply gives a more detailed definition of "serious physical illness or injury" in the one case and "unemployment" in the other case. I think it more clearly defines what is talked about in the bill and adds and enhances the bill in that respect.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Would the gentleman please stand for interrogation very briefly?

The SPEAKER. The gentleman indicates that he will so stand. The gentleman, Mr. Laughlin, is in order and may proceed.

Mr. LAUGHLIN. Mr. Speaker, under the second portion of the amendment, itemized as number (2), I can certainly sympathize with Representative Dorr's intent in making the restrictions of granting these exemptions a much more definitive purpose, but in his attempt to do so, Mr. Speaker, it would appear that he is calling upon an unemployed person to be unemployed continuously throughout the period of the year in which the tax nonpayment occurs and, in addition to that, through and including the period of time of exemption.

Mr. Speaker, in all honesty, what we can have is, as you know, a person can be unemployed for 51 weeks out of a year and end up with 1 week of work. What you are then saying is that although they were unemployed for 51 weeks out of the year, because the unemployment did not continue on a continuing basis, that person would then be denied an opportunity to receive relief from this particular section. In all honesty, Mr. Speaker, if your intent is to make it more restrictive, I can understand, but to make it impossible, Mr. Speaker, I certainly cannot, and I would ask, Mr. Speaker, that the members of the House vote "no" on this amendment in order to guarantee the people who are unemployed in this State an opportunity to receive consideration for this extension. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Dorr, on the amendment.

Mr. DORR. I thought I was being interrogated and I did not hear a question. But, Mr. Speaker, I would just comment that basically the amendment in respect to the matter which Mr. Laughlin just talked about has the same effect as the language in his original bill, which says that the taxpayer must be able to satisfactorily demonstrate that he has suffered severe financial reversal as a direct result of the unemployment and which is still continuing. I think the language in the amendment is essentially the same as what was in the original bill in that respect.

What we are attempting to do in the amendment is basically, in regard to the unemployment part of the matter, do two things: first, make the point that the unemployment should have occurred during the year in which the taxpayer failed to pay his taxes; the second change in the section to which this amendment refers is to require that the unemployment be the dominant cause for the default and the taxpayer's failure to pay the tax, both in the initial instance and throughout the redemption period.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, will the gentleman, Mr. Dorr, consent to interrogation?

The SPEAKER. The gentleman, Mr. Dorr, indicates he does consent to be interrogated. The majority leader is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, I am concerned about the same aspect of the amendment that Mr. Laughlin has alluded to. The amendment seems to say in subsection (2), Roman numeral (iii), "the unemployment has continued throughout the redemption period provided by section 501(a)...." In PN 586 it appears that 501(a) has been deleted. Are you able to shed any light on that?

Mr. DORR. Mr. Speaker, apparently the gentleman is accurate in what he says. I would guess that 501(a) has been replaced by 502, but the amendment should probably refer directly to section 502 if that is the case.

Mr. MANDERINO. Assuming that 502 states the redemption period, does your amendment require that the unemployment have continued throughout the entire period that is measured as the redemption period?

Mr. DORR. I believe the language of the amendment would do that, Mr. Speaker, and I believe that the language of the original bill would require that also.

Mr. MANDERINO. Well, the language of the original bill as you read it seemed to indicate that the unemployment had to have occurred during the taxable year and still be continuing at the time the exemption is applied for, but that does not say that they had to have the unemployment existing during the entire period.

Mr. DORR. Well, I think the language of the bill does require that. First of all, it does not require that the unemployment have occurred during the year in which the failure to pay was concerned, and I think that is an important point.

Mr. MANDERINO. Yes, I think that there is an improvement in some of the language that you have indicated in your amendment, but I have the concern that there must be unemployment during the entire period.

Mr. DORR. Well, the language that I would refer the gentleman to, Mr. Speaker, is the last line.

Mr. MANDERINO. In the amendment or in the bill now?

Mr. DORR. The last line. It says, "...which is still continuing."

Mr. MANDERINO. Yes, but that would be still continuing at the time that the—

Mr. DORR. The relief is applied for.

Mr. MANDERINO. —relief is going to be granted. It could have occurred in the middle of the taxable year and still be continuing, which would make the person eligible whereas your amendment would therefore read them out of eligibility.

Mr. DORR. Well, Mr. Speaker, I am not sure it is useful to get into this. If the amendment is badly drafted, I think we have to change that in any event. I do not know what your work time frame is, but I would request an opportunity to do that and perhaps we can work out the language that we are arguing about right now.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. I believe the gentleman, Mr. Dorr, will consent to a withdrawal of his amendment at this time for the purpose of having it redrafted. I would suggest, though, that if there are other amendments to this bill, we take those and then place the matter in a pass-over situation until after caucus.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Dorr, is withdrawing his amendment and will offer it at a later time.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. LAUGHLIN offered the following amendments No. A0399:

Amend Bill, page 3, by inserting between lines 25 and 26

Section 1. Section 308(a) of the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, amended July 10, 1980 (P.L.417, No.98), is amended to read:

Section 308. Notice of Filing of Returns and Entry of Claim.—(a) Not later than the thirty-first day of July of each year, or for the first year a county operates under this act, not later than the thirty-first day of October, or whenever, heretofore, any claims have been returned to and a claim entered with the tax claim bureau and the same has not been pursued to sale as provided for by the act of Assembly, then within six (6) months after the effective date of this act, the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable, by United States registered mail or United States certified mail, return receipt requested, postage prepaid, addressed to the owner personally at his last known post office address. If the owner of the property is unknown and has been unknown for a period of not less than ten years, such notice shall be given only by posting on the property affected. If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities, then notice as herein provided shall immediately be posted on the property affected. Each mailed and posted notice shall, (1) show all the information shown on the claim entered, (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the bureau on or before the thirty-first day of December next following, in cases where the notice was mailed prior to August first, or that if payment is not made on or before March thirty-first of the following year, in cases where the notice was mailed on or after August first, or no exceptions thereto filed, the said claim shall become absolute, (3) state that on July first of the year in which such notice is given or if the notice was mailed after July thirty-first, that on the first day of the month (naming it) in which the notice was mailed the one (1) year period of redemption shall commence or has commenced to run, and that if redemption is not made during that period as provided by this act, the property shall be sold pursuant to the provisions of this act and there shall be no further redemption after such sale and (4) state that the owner of any owner-occupied real estate can apply for an extension of the redemption period for up to twelve (12) additional months under and subject to the provisions of section 502 of this act.

* * *

Amend Sec. 1, page 3, line 26, by striking out "1" and inserting

Amend Sec. 1, page 3, lines 26 and 27, by striking out "OF JULY 7, 1947 (P.L.1368, NO.542), KNOWN AS THE REAL ESTATE TAX SALE LAW,"

Amend Sec. 1 (Sec. 502), page 3, line 30, by striking out "BUREAU DETERMINES THAT THE" and inserting county commissioners of the county, acting through the county tax claim bureau determine that a

Amend Sec. 1 (Sec. 502), page 4, line 6, by striking out "THE BUREAU" and inserting they

Amend Sec. 1 (Sec. 502), page 4, line 6, by inserting after "AUTHORITY" in the event of an application for extension submitted by the taxpayer

Amend Sec. 1 (Sec. 502), page 4, line 12, by removing the period after "PROCEEDINGS" and inserting pending with respect to such owner occupied residential real estate.

Amend Sec. 1 (Sec. 502), page 4, lines 13 through 30, page 5, line 1, by striking out all of lines 13 through 30, page 4, and "PROVIDED" in line 1, page 5 and inserting

(b) The payment schedule authorized under subsection (a) shall permit the taxpayer to make payment of the amount due in at least four (4) separate payments, spaced at least thirty (30) days apart, and shall require the initial payment to be not more than twenty-five per centum (25%) of the total indebtedness calculated to be due under such schedule.

(c) The application for extension authorized Amend Sec. 1 (Sec. 502), page 5, line 1, by striking out "APPLICATION"

Amend Sec. 1 (Sec. 502), page 5, line 3, by inserting after "THE"

Director of the

Amend Sec. 2, page 5, line 18, by striking out "2" and inserting

3

Amend Sec. 2, page 5, line 21, by inserting after "COUNTY" upon petition of the tax claim bureau

Amend Sec. 3, page 5, line 29, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, this amendment is in conjunction with the tax claim bureaus and their directors across the State in which they informed me that they were very much concerned about the latitude that was given to the tax claim director rather than given to the county commissioners who in fact are the employers of the directors. In line with that, we have taken out the portion dealing with the director having the authority and such exemption and such extension shall be granted through the commissioners in conjunction with the bureau. It also clarifies the point as to a person who is residing within the real estate on which the tax exemption extension will be granted. It also clarifies the section that they had requested on the payment being not greater than 25 percent in any period, Mr. Speaker.

Since it is in conformity with what the directors had requested, I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Mr. Speaker, would Mr. Laughlin stand for brief interrogation, please?

The SPEAKER. The gentleman, Mr. Laughlin, indicates that he will so stand. The gentleman, Mr. Reber, is in order and may proceed.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, in section 502 and relating to your amendment, could you tell me whether the local municipalities will be parties to the consideration given to these applications for extension under the act as proposed?

Mr. LAUGHLIN. On any tax claim, as you know, when it becomes delinquent after failure to pay in the preceding year, the notice of that tax delinquency is reported to the tax claim bureau. The bureau is then responsible for the collection of that tax.

The commissioners are the authorizing body with regard to granting any exemptions, since they are the ones who pay, in fact, the bureau. Any communication with the municipalities with regard to their taxation would be to the commissioners in line with granting that exemption, since as you know in the initial phase of the bill it is a "may" bill. So definitely the local municipalities will have input and the commissioners will make the decision.

Mr. REBER. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. May I interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Laughlin, says he will stand for interrogation. The gentleman, Mr. Wass, is in order and may proceed.

Mr. WASS. Mr. Speaker, can you help me understand the words "redemption period"? Is that after the tax sale or prior to the tax sale?

Mr. LAUGHLIN. That is prior to the tax sale, sir.

Mr. WASS. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Afflerbach	Evans	Lloyd	Robbins
Alderette	Fargo	Lucyk	Rudy
Angstadt	Fattah	McCall	Ryan
Armstrong	Fee	McClatchy	Rybak
Arty	Fischer	McHale	Saloom
Baldwin	Flick	McIntyre	Salvatore
Barber	Foster, W. W.	McMonagle	Saurman
Battisto	Foster, Jr., A.	McVerry	Scheetz
Belardi	Freeman	Mackowski	Schuler
Belfanti	Freind	Madigan	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Mayernik	Snyder, D. W.
Broujos	George	Merry	Snyder, G. M.

Bunt	Gladeck	Michlovic	Spencer
Burd	Godshall	Micozzie	Spitz
Burns	Greenwood	Miller	Stairs
Caltagirone	Grieco	Miscevich	Steighner
Cappabianca	Gruitza	Moehlmann	Stevens
Carn	Gruppo	Morris	Stewart
Cawley	Hagarty	Mowery	Stuban
Cessar	Haluska	Mrkonic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, F. E.
Clark	Hayes	Noye	Telek
Clymer	Herman	O'Brien	Tigue
Colafella	Hershey	O'Donnell	Trello
Cole	Hoeffel	Olasz	Truman
Cordisco	Honaman	Oliver	Van Horne
Cornell	Hutchinson	Perzel	Vroon
Coslett	Jackson	Peterson	Wachob
Cowell	Jarolin	Petrarca	Wambach
Coy	Johnson	Petrone	Wargo
DeLuca	Kasunic	Phillips	Wass
DeVerter	Kennedy	Piccola	Wiggins
DeWeese	Klingaman	Pievsky	Williams
Daley	Kosinski	Pistella	Wilson
Davies	Kowalshyn	Pitts	Wogan
Dawida	Kukovich	Pott	Wozniak
Deal	Lashingier	Pratt	Wright, D. R.
Dietz	Laughlin	Preston	Wright, J. L.
Dininni	Lehr	Punt	Wright, R. C.
Dombrowski	Lescovitz	Rappaport	Zwinkl
Donatucci	Letterman	Reber	
Dorr	Levi	Reinard	Irvis,
Duffy	Levin	Richardson	Speaker
Durham	Linton	Rieger	

NAYS—0

NOT VOTING—2

Cohen Livengood

EXCUSED—4

Itkin Sirianni Taylor, E. Z. Weston

The question was determined in the affirmative, and the amendments were agreed to.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 189, PN 586, as amended will go over temporarily. The Chair hears no objection.

* * *

The House proceeded to third consideration of **HB 60, PN 69**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for paving and curbing sidewalks.

On the question,

Will the House agree to the bill on third consideration?

Mr. FRYER offered the following amendment No. A0433:

Amend Sec. 1 (Sec. 1402), page 2, lines 19 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

The township supervisors may also provide, by ordinance, for the construction and reconstruction of sidewalks or sidewalks and curbs of suitable materials along the roads or highways in such townships. Whenever any such ordinance is adopted by the supervisors, the owners of abutting properties shall be given notice by the supervisors to construct or reconstruct such sidewalks or sidewalks and curbs at such grades and under such regulations as may be prescribed by ordinance, and in the case of the failure of the owner to complete the construction or reconstruc-

tion of such sidewalks or sidewalks and curbs within a period of sixty days after receipt of such notice, the supervisors may construct or reconstruct such sidewalks or sidewalks and curbs as herein provided.

Whenever any sidewalks or sidewalks and curbs are constructed or reconstructed by the supervisors, the expense of the construction or reconstruction of such sidewalks or sidewalks and curbs may be paid by the abutting property owners in proportion to their frontage, or the cost of any such construction or reconstruction of sidewalks or sidewalks and curbs may be borne in whole or in part by the township. Where the cost has been apportioned to the property owners as provided above, and where the owner shall fail to pay the expenses of the construction or reconstruction of such sidewalks or sidewalks and curbs, the supervisors may recover the amount by action of assumpsit, or may file municipal liens therefor against the abutting properties, in the manner provided by law for the filing and collection of municipal liens.

(c) All reconstruction of sidewalks or sidewalks and curbs may be provided for in the ordinance providing for the original construction without the necessity of adopting a new ordinance for such reconstruction.

(d) Any ordinance authorizing the construction or reconstruction of sidewalks or sidewalks and curbs may, where appropriate, provide an exemption for the owners of agricultural land. As used in this section, "agricultural land" shall mean land that has been certified by the Secretary of Agriculture as having been used primarily for agricultural purposes for at least three years immediately preceding the installation of sidewalks or sidewalks and curbs in a right-of-way fronting or crossing such land, and that is presently devoted to agricultural use for the purpose of producing an agricultural commodity as defined in the act of September 20, 1961 (P.L.1541, No.657), known as the "Pennsylvania Agricultural Commodities Marketing Act of 1968," or any farm product as defined in 1 Pa.C.S. § 1991 (relating to definitions), and that was devoted to agricultural use the preceding three years and is not less than ten contiguous areas in area and has anticipated yearly gross income of two thousand dollars (\$2,000) from agriculture.

(e) Where the municipality has established an exemption for the owners of agricultural land, it shall file with the recorder of deeds in the county in which the land is located a notice of record, a certification signed and acknowledged by the landowner or landowners and indexed in name of the owner, indicating that sidewalks or sidewalks and curbs have been installed and that if the use of the land is changed, the owner shall be liable for the assessment cost of installation of the sidewalks or sidewalks and curbs as originally assessed.

(f) When the use of the land is changed from agricultural use, the owner shall, within sixty days, notify in writing the municipality of the change. Notwithstanding the provisions of the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, at that time or at any subsequent time, the municipality shall place a lien against the property in an amount equal to the amount that would have been due had it not been for the provisions of this subsection. If the owner fails to notify the municipality as herein provided, the municipality shall charge as a penalty ten per centum (10%) of the assessment that would have been made had it not been for the provisions of this subsection plus interest at the rate of eight per centum (8%) from the date of the change.

(g) No sidewalks or curbs shall be established and constructed upon any State highway without the consent of the Department of Transportation or upon any county road without the consent of the county commissioners.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, the bipartisan amendments which are proposed by Representative Don Snyder and myself add clarifying language to portions of the bill. They also add an amendment which would permit the supervisors, in their judgment, to exempt farmers from being assessed for sidewalks and curbing as long as their land remains in agricultural use.

Mr. Speaker, I urge the adoption of this bipartisan amendment.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. May I interrogate the maker, please?

The SPEAKER. The gentleman, Mr. Fryer, indicates he will stand for interrogation. The gentleman, Mr. Letterman, is in order and may proceed.

Mr. LETTERMAN. What number is this amendment?

Mr. FRYER. HB 60.

Mr. LETTERMAN. Okay. And your amendment is A0433?

Mr. FRYER. That is correct, sir. A superb amendment.

Mr. LETTERMAN. Are you proposing in your amendment that people pay for curbing in front of their homes?

Mr. FRYER. Yes, sir.

Mr. LETTERMAN. Also sidewalks?

Mr. FRYER. That has been law for a good many years, sir.

Mr. LETTERMAN. I know the sidewalks have, but are you adding curbing?

Mr. FRYER. Curbing and sidewalks are in the same bill, sir. In fact, if you pursue the bill, you will note that it was passed in an act of 1933 and amended in 1947, so it is a law of long standing.

Mr. LETTERMAN. But what your amendment says is that if the township supervisors see fit to put curbing in, then they can come back on the landowner to pay for this.

Mr. FRYER. Yes, Mr. Speaker. That is present law. Under the present law as we have it, however, the code restricts the supervisors to 10 percent of the market valuation, a cap of 10 percent. What has happened with the forces of inflation is they have rendered this to the point that it will not cover the cost of the project. Hence, the supervisors are in the middle of reaching one of two decisions: one is either not to go ahead with the project, which is what is happening in some districts, in the district that I represent; or, two, putting those additional costs onto other taxpayers in the township involved.

Mr. LETTERMAN. Mr. Speaker, this amendment is all new language. Right?

Mr. FRYER. Well, the one part is merely clarifying language of the present bill. It makes no major changes. The major change is the amendment in regard to agriculture, Mr. Speaker.

Mr. LETTERMAN. Have the people been responsible for curbing for a long time? Is this old language that they have been responsible for curbing? Is that only in townships?

Mr. FRYER. That is correct.

Mr. LETTERMAN. Only in townships?

Mr. FRYER. No; also in the Borough Code and in townships of the first class.

Mr. LETTERMAN. Mr. Speaker, do you have any idea how much it costs to put 10 feet of curbing in?

Mr. FRYER. I am not really acquainted with the present cost. Possibly you could inform the members of the House. Do you have the answer?

Mr. LETTERMAN. Well, I know it is prohibitive for anybody to do it individually.

Mr. FRYER. Well, Mr. Speaker, we need streets and we need curbing. How else would you affix these charges?

Mr. LETTERMAN. Well, Mr. Speaker, I will answer that shortly, but I would like to continue to interrogate you.

Mr. FRYER. Yes.

Mr. LETTERMAN. If we were to vote for this amendment, am I to clearly understand that the township supervisors could take upon themselves a project which would go by my home and that I would be billed for that project?

Mr. FRYER. Yes, for your portion. That, Mr. Speaker, however, is present law. We are not changing anything in that respect. That is present law.

Mr. LETTERMAN. If you are taking the cap of 10 percent off, how much is it then?

Mr. FRYER. The cost of the project, whatever the cost would be, would be prorated. That would be up to the supervisors, and I might add that there is no such limitation in the Borough Code or in the code of townships of the first class.

Mr. LETTERMAN. Mr. Speaker, would you be willing to strike the word "curb"?

Mr. FRYER. No, I would not, Mr. Speaker, because I do not believe in changing present law. I do not see that there is any need to change that present law, because we have a uniformity between the three codes, between the Borough Code, the townships of the first class, and townships of the second class.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, may I have a little say?

The SPEAKER. The gentleman is in order and may speak to the amendment.

Mr. LETTERMAN. Mr. Speaker, I am going to ask for a hold to be put on this bill until I have time to look up just what the cost involves and what all is going on here. It appears to me that what we are doing is we are putting such a cost on people if we just can say to the township supervisors, you go ahead and construct curbing and sidewalk. I can understand sidewalk. I cannot buy the word "curbing" in there, and if I had known this was in there a long time ago, I would have attempted to have this struck out. I believe this is a project that should be taken by townships or boroughs making application for the funds to do such a project.

I think that this is just too much money for any one person to bear. I know that if you were to lay 10 feet of curbing, legal curbing, in front of my home, and I have a 150-foot frontage, I would venture to say that the bill would be \$30,000. I cannot see anybody being mandated to pay this kind of money, and therefore, I would ask for a hold to be put on this legislation until I have time to look it up.

BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

Mr. LETTERMAN. Mr. Speaker, I move that HB 60, PN 69, together with the amendment, be placed on the third consideration postponed calendar.

On the question,
Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I oppose the motion. The gentleman has brought up issues and figures which, quite frankly, I do not know where they are coming from, but possibly a very vivid imagination.

We are not changing present law. We are only changing the one amendment which was requested by the agricultural community. This bill has been studied thoroughly in committee; we had worked on a bipartisan amendment, and, in my opinion, Mr. Speaker, the bill is ready for a vote, and I would request a defeat of the motion.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. I would support Mr. Letterman's motion, and my reason is that I understand that Mr. Afflerbach has an amendment in process to this bill, and I think we ought to wait and give him a chance to offer his, too, along with the rest of the amendments which are going in for consideration.

The SPEAKER. The Chair recognizes, on the motion, the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I want you to just think about this for a moment. We are asking for the 10-percent cap to be taken off. The reason for that is that the townships and boroughs cannot afford to do this work at this time. Now, by taking the cap off, they figure they can afford to do it because they will be putting it all onto somebody else.

If you live where I do, they put curbing in about 25 years ago and it was a bad job, so the curbing has been destroyed and no longer shows up except that you can see the little line along the road. Now, if I were to replace that at my expense, I might as well sell the house, because there would be no way that I could afford it.

I do not think we should put this kind of pressure on any homeowner in this State. I think these kinds of projects should be done through a project application made by the borough or the township and let them foot the bill. There is help for that kind of work, and they do get money that they can do this kind of work if they think that curbing is absolutely mandated and needed within a borough or township. I would hope that you would support my motion.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Snyder, on the motion.

Mr. D. W. SNYDER. Mr. Speaker, I would like to agree with Representative Fryer that this piece of legislation has been given much consideration by the Local Government

Committee. In fact, during last session, on December 14, 1981, a very similar bill was passed by this House by the vote of 177 to 1.

The purpose of the amendment is to clarify some of the vague language that is subject to various interpretations in HB 60, PN 69. Under current law, persons may petition a township to have sidewalks installed. If the property owners petition the township to have the sidewalks put in, they will bear the entire cost of sidewalks or curbs. We are not modifying that section of the Second Class Township Code. We are only addressing the second alternative for installing sidewalks and curbs, which, as Representative Fryer said, has been law since 1933, to take off the cap that currently exists in the law. That cap is right now a percentage of the assessed value, and as every member in this House knows, with what is happening to assessed values of properties, it has become very costly and probably prohibitive for townships to impose sidewalks and curbs, especially at times when they are constructing new roads, and place that cost on the property owners when they cannot recoup most of that cost. Therefore, this amendment is trying to bring this into uniformity with the other codes, the First Class Township Code and the Borough Code, which already have these provisions in them. They have the same circumstances as the Second Class Township Code. We are looking for uniformity, and I therefore would oppose the motion.

The SPEAKER. The motion before the House is, shall the House place on third consideration postponed HB 60, PN 69, together with amendments thereto?

On the question recurring,
Will the House agree to the motion?

The following roll call was recorded:

YEAS—168

Afflerbach	Evans	Levi	Punt
Alderette	Fargo	Levin	Rappaport
Angstadt	Fattah	Linton	Reinard
Armstrong	Fischer	Lloyd	Richardson
Arty	Flick	Lucyk	Rieger
Baldwin	Foster, W. W.	McCall	Robbins
Barber	Foster, Jr., A.	McClatchy	Rudy
Belardi	Freeman	McHale	Ryan
Belfanti	Freind	McIntyre	Rybak
Beloff	Gallagher	McMonagle	Saloom
Blaum	Gamble	McVerry	Scheetz
Bowser	Gannon	Mackowski	Schuler
Brandt	Geist	Madigan	Semmel
Burd	George	Maiale	Serafini
Burns	Gladeck	Manderino	Seventy
Cappabianca	Greenwood	Manmiller	Showers
Carn	Grieco	Markosek	Smith, B.
Cawley	Gruitza	Marmion	Smith, L. E.
Cessar	Gruppo	Mayernik	Snyder, G. M.
Cimini	Hagarty	Michlovic	Spencer
Civera	Haluska	Micozzie	Stairs
Clark	Harper	Miller	Steighner
Clymer	Hasay	Miscevich	Stevens
Cohen	Hayes	Moehlmann	Stuban
Colafella	Herman	Morris	Swift
Cole	Hershey	Mowery	Taylor, F. E.
Cordisco	Hoeffel	Murphy	Telek
Cornell	Honaman	Nahill	Tigue
Coslett	Hutchinson	Noye	Trello
Cowell	Jackson	O'Donnell	Truman
Coy	Jarolin	Olasz	Van Horne
Deluca	Johnson	Oliver	Vroon

DeVerter	Kasunic	Peterson	Wachob
DeWeese	Kennedy	Petrarca	Wambach
Daley	Klingaman	Petrone	Wargo
Dawida	Kosinski	Phillips	Wass
Deal	Kowalshyn	Piccola	Wiggins
Dietz	Kukovich	Pievsky	Williams
Dininni	Lashingner	Pistella	Wilson
Donatucci	Lehr	Pitts	Wright, D. R.
Dorr	Lescovitz	Pott	Wright, J. L.
Durham	Letterman	Preston	Zwikel

NAYS—27

Battisto	Duffy	Mrkonic	Stewart
Book	Fee	O'Brien	Sweet
Boyes	Fryer	Perzel	Wogan
Broujos	Gallen	Reber	Wozniak
Bunt	Godshall	Salvatore	
Caltagirone	Laughlin	Saurman	Irvis,
Davies	Merry	Snyder, D. W.	Speaker
Dombrowski			

NOT VOTING—4

Livengood	Pratt	Spitz	Wright, R. C.
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EXCUSED—4

Itkin	Sirjanni	Taylor, E. Z.	Weston
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The question was determined in the affirmative, and the motion was agreed to.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Oliver.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, I had wanted to address the House, but first, if I may, I would like to make an announcement.

The SPEAKER. The gentleman is in order and may do so.

Mr. OLIVER. There will be a meeting of the State Government Committee on Wednesday morning at 9:30 in the Capitol Annex, room 22. I would certainly hope that all members would be in attendance. Thank you, Mr. Speaker.

STATEMENT BY MR. OLIVER

Mr. OLIVER. Mr. Speaker, members of the House of Representatives, as well as staff, 2 1/2 years ago I stood at this same microphone to thank you for your kindness on the loss of my daughter. I stand here today again to thank you again for your kind expressions of sympathy on behalf of my father, who just passed away. Your letters, your telegrams, your phone calls, flowers, all of those things certainly helped to ease the burden that was cast upon me. I want you to know again today I am certainly deeply grateful for your kindness, and I certainly shall never forget it. Thank you so very much.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. GALLAGHER

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, today I would like to introduce to the House for consideration, not for adoption, a resolution, and I will leave it on the clerk's desk for further

signatures. It is a rather important resolution. It should not be adopted immediately, but it is a very pertinent issue that is facing not only Bucks County but all of Pennsylvania.

The resolution is calling on Congress to pay attention to the problem of steel and oil and coal and transportation. It is asking them to consider nationalization of those industries. It is obvious there is no national policy as to what will happen with our steel, with our oil, with our coal, or with our railroads.

We have seen over the years that here in this House we adopted a bill into law to give Conrail a tax break to help them build their railroad lines, to give freight and passenger service, and we find that Conrail is doing just the opposite, taking care of freight and their pocketbooks. We find that steelworkers in Bucks County and all over this State have acquiesced to steel's demands. To maintain the steel mill they needed to take a cut in their hourly rate, their fringe benefits, their vacations, and then we find that U.S. Steel, who owns many of our coal mines in Pennsylvania, went out and bought an oil company with the tax breaks they got from the Federal Government and is now making a deal with the British Empire to bring British steel into the United States, into Pennsylvania, to have a mill maintained to roll steel from Europe. This has brought the whole thing to a crux. It is time that we pay attention to these national problems when they come back home right in our own backyard and in our own pocketbook.

The things that we have done in Pennsylvania for our industries over the years that I have been here, in the 25 years that I have been here, I have seen us acquiesce to industry to help them maintain Pennsylvania, and in the last 4 years I have seen nothing but the reverse, of helping the workers who work in those industries. So, Mr. Speaker, I am introducing this resolution today. I will leave it at the desk for any other members who wish to join me in bringing this to the attention of Congress. Thank you.

The SPEAKER. The Chair thanks the gentleman.

MINES AND ENERGY MANAGEMENT COMMITTEE MEETING RESCHEDULED

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca, for the purpose of making an announcement.

Mr. PETRARCA. Thank you, Mr. Speaker.

The meeting of the Mines and Energy Management Committee originally scheduled for Thursday, April 21, has been changed to Wednesday, April 20, at 10 o'clock a.m. in conference room 123 in the South Office Building. HB 330 will be considered at the meeting. Thank you.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. MICHLOVIC

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

By way of announcement, Mr. Speaker, the Legislative Fellowship Committee was sponsoring a film, "Where Is

Daddy," to be shown this afternoon in the majority caucus room. I am advised that the caucus will be running over and we may be back on the floor, so we are postponing that showing this afternoon, and we will advise you when it will be shown. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

HEALTH AND WELFARE COMMITTEE MEETING CANCELED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Barber.

Mr. BARBER. Mr. Speaker, the Health and Welfare Committee meeting has been canceled for tomorrow.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair is glad to welcome to the hall of the House two guests, Lisa Petriello and Homer Yerdie, who are here as the guests of Representative Kasunic.

ANNOUNCEMENT BY MR. RYAN

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I have not talked to the majority leader or the majority caucus chairman with respect to the length of time required for caucus purposes. I would suggest, however, that this side would need approximately one-half hour for the purpose of caucusing.

I would like to call to the attention of the House and to the minority side that I would appreciate it if they would discuss in caucus a motion I intend to make when we return to the floor that SB 1 be returned to the House so that we might reconsider the vote that we took last week on the question of concurrence in Senate amendments and perhaps solve the problem and the dilemma, get people back working again, get our roads constructed immediately. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Will the minority leader consent to interrogation?

The SPEAKER. The gentleman, Mr. Ryan, indicates he will stand for interrogation. The majority leader is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, does the motion or the resolution or whatever it is that the gentleman wishes to present to the House, is that in existence for consideration by our caucus?

Mr. RYAN. Mr. Speaker, my legislative assistant advises me that the Reference Bureau has it in process.

Mr. MANDERINO. Mr. Speaker, is there any other business before this House at this time?

The SPEAKER. Is the majority leader addressing Mr. Ryan?

Mr. MANDERINO. No, Mr. Speaker. I am sorry, Mr. Ryan.

The SPEAKER. There are other things before the House, but they cannot be considered until after caucus. A number of bills must be caucused on that were passed over temporarily.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I do not pretend to be a seer, s-e-e-r; however, judging from the comments of the gentleman, Mr. Manderino, with respect to what is going on in the House, I wonder if I could fairly predict that the gentleman is inclined to make a motion to adjourn this House without taking up for consideration my motion.

Mr. MANDERINO. Mr. Speaker, I have nothing to consider in caucus regarding your motion, because I do not have the motion and you have not given it to me.

Mr. RYAN. It is not my understanding that it need be in writing. However, the motion is simply one that we have done any number of times, although normally the motion is one that we make when we have made a mistake and we are attempting to recapture a bill from the other body so that we can correct the mistake. Really, in effect, that is what we did this time. We made a mistake not concurring last week, and I would like the opportunity to correct that mistake. I do not think it is all that difficult to caucus on. You either are or are not in favor of bringing that measure back and passing, by concurrence, SB 1 so that it can become law.

Mr. MANDERINO. Mr. Speaker, did the minority leader file a reconsideration motion last week when the matter failed to pass the House?

Mr. RYAN. Mr. Speaker, I did not. Let me tell you why.

Mr. MANDERINO. I just wanted to know whether you did or did not.

Mr. RYAN. Well, you know, when you ask a question, you get both barrels, Mr. Speaker.

I did not do it because it was perfectly clear, even to someone as slow as myself, that the gentleman, Mr. Manderino, had his caucus under very good control. There were three Democrats who voted "yes," although I read in the newspaper somewhere that Mrs. Rudy had voted with the Republicans. I did not see her on the roll call. However, since that time, and that very day, if I had had the document, I would have put in a reconsideration motion. In my office, although I did not have it at the time we took the vote on concurrence, is a communication from a former distinguished colleague of ours who is now a member of Philadelphia City Council, Lucien Blackwell. As I read his letter, I thought to myself, if that letter had been available, perhaps, to the members of the Philadelphia delegation, then perhaps they would have agreed with my position on concurrence, because I watched Philadelphia at an earlier vote on this very bill, together with the rest of the people from the southeast, support it, and it then occurred to me that maybe Mr. Blackwell, Lucien Blackwell, would have greater influence than I had on that particular day, and it was then that I resolved that I would come before this House and ask that SB 1 come back to us so that at least our members from Philadelphia would get this opportunity to support their city councilman, support the editorials coming out of the major news media in the southeast, give Mrs. Rudy a chance to be recorded, and perhaps settle this whole affair in one fell swoop.

Mr. MANDERINO. Does all that mean that you did not file a reconsideration motion?

Mr. RYAN. I guess I neglected to say that I did not; yes.

Mr. MANDERINO. You neglected to say you did not file a reconsideration motion.

Mr. Speaker, we will take up the gentleman's motion when we return from caucus. I hope that it is in proper form, Mr. Speaker, because I will inform you at this time that regarding your motion there will probably be additional parliamentary moves, and I cannot telegraph what they might be, because you obviously do not have your motion in print to submit to us in caucus, and we will simply have to assume what it is that you will be presenting.

The minority party, both in the House and in the Senate—And I would not have criticized the minority party in the House and the Republican Party in the Senate; I would not have criticized the minority party in the House. It was only the Republicans in the Senate who heretofore were engaging in what in my opinion was just delay tactics. It is now being joined in by the minority leader in the House. We have lost 2 precious weeks, 2 precious weeks, because the Senate has refused to act on SB 1 sent back to the Senate. On one occasion they refused to appoint a conference committee to consider the differences and elected to suspend rules in the Senate and send the matter back to us, occasioning a delay of 1 full week. Last week there was an opportunity to appoint a conference committee for the second time, and again the Senate refused to appoint a conference committee; in fact, refused to even read the bill that we sent back to them across their desk, so a conference committee could not be appointed last week and we lost another full week in the consideration of SB 1.

Now it appears that the minority leader in the House of Representatives would like to continue the delay and recall the bill from the Senate again, attempting to avoid the normal procedure of a conference committee. You can continue your maneuvering; you can continue your delay; but until you are willing to face the issue squarely that there is a difference between the House and the Senate on what SB 1 should contain, unless you are willing to face that and stop the delaying tactics, you will continue to lose that precious time that you told us was oh, so important for those many people who are unemployed in this Commonwealth that this bill is going to help.

I would urge you to stop the posturing. I would urge you to stop the politicking. I would urge you to stop the delay, and let us get to the conference table where the matter may be discussed intelligently and settled quickly.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the key word, "posturing." I would like to remind the gentleman that he has on any number of occasions, in a very straightforward manner, announced to us in particular, the world in general, that he is against this particular measure. He had an opportunity when it was not going to cost anyone from the west, from his district, a nickel—other than the \$3, pardon me, that was put in by amendment—to get this bill passed, and he voted "no." Time and time again we have had "no" votes from the gentle-

man, who has announced that it will be—and I believe I am correctly quoting him—it would be a cold day in hell before this matter is passed, as far as he was concerned. There are any number of quotes—many of them I have put in letter form to some of you—that I attribute to the majority leader.

I do not think it is a question of posturing. I, in a very forthright way, said 3 weeks ago that if there were a conference committee, Mr. Dininni would be my selection to act on our behalf. I really question and wonder whether going to conference is going to serve any useful purpose, when the gentleman, Mr. Manderino, an outspoken opponent to this measure, has the control of that conference committee within his appointive powers.

It is for all of these reasons, I think, that it behooves us to get this measure back here and to concur. There are many, many people in this Commonwealth who agree with that thinking, and I think that now that this new information is available to the members of the Democratic Caucus, perhaps we should put it to the test once again here in this chamber.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I defy the minority leader or any member of this Assembly to find the majority leader quoted correctly or quoted at all that he would continue to oppose an emissions bill in the House or for the State of Pennsylvania. I have been against what I was asked to vote upon, and the minority leader should be ashamed of himself to indicate that he thinks—shame on you—he thinks the \$3-fine amendment was something that would get past Judge Bechtle. He knows it would not have gotten past Judge Bechtle. He knows that that kind of an amendment had to be removed from the bill, and to point to my vote against that bill that day as showing that I have unalterably been opposed to the emissions control legislation is totally wrong. I have indicated that I have one requirement, and that is a fair reimbursement system. We have not had a chance to vote on such.

I have proposed to the administration, to the people on the other side of the aisle, in the Senate, a manner in which the emissions program could be quickly passed, costing the State, out of the \$500 million, no more than the \$15 million that has already been put on the table. It was an offer that I frankly thought could not be refused. It has all but been refused.

Mr. Speaker, you can characterize the majority leader in any manner you like. The facts remain that the majority leader and the majority party are entitled that the difference be adjusted in the bills differing between the House and the Senate. We are entitled that it be adjusted in a conference committee, and we will continue to take that position.

As long as you continue as the Republican Party to refuse to acknowledge that there is a Democratic majority in the House of Representatives, you will continue to have the kinds of problems that you have seen to date. Not because they are of our making. They are of your making. They are of your making because you refuse to go to a conference committee. They are of your making because you refuse to sit down and bargain intelligently. They are of your making because you seem to be willing to throw away \$500 million and all the jobs that that means to this Commonwealth, because you will have your way or take your ball and bat and go home.

Mr. Speaker, there is a Democratic Party. The Democratic Party is in the majority in the House of Representatives, and until you are willing to sit down at a conference table with them on emissions, until you are willing to do that, we will not be able to resolve the matter. We will not be able to resolve the matter so long as you continue to insist on going around the regularly prescribed procedures of the House of Representatives and of the Senate of Pennsylvania.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, that sounded a little bit like my speech there for a while.

Mr. Speaker, on January 25, the gentleman is quoted as saying he was in no hurry to move the bill. He spoke to his colleague from Westmoreland, Mr. Barbagello, about that same time, who I am sure accurately quoted the gentleman, Denny not being known to ever misquote anyone, saying he indicated he would move to defeat the bill and it would not be expedited in the House, and there are any number of quotes from various news sources along those lines.

Mr. Speaker, there is a majority party in this House. The Democrats clearly have the majority by some two or three votes. However, I do not think in this particular case it is a majority party that is stopping this. I think it is the majority leader alone who is stopping this for reasons of his own, and it is for that reason that I am suggesting that we address this issue later today.

Now, Mr. Speaker, if I may, I would like to request that the House Parliamentarian, if he has a moment, would kindly check with the Legislative Reference Bureau, at the conclusion of this immediate session prior to the recess, with me to determine if it meets with the Parliamentarian's approval. Thank you, Mr. Speaker.

The SPEAKER. The Chair so instructs the Parliamentarian.

The Chair recognizes the majority leader.

Mr. MANDERINO. Very briefly, Mr. Speaker. There were some 16 members of your party who took my position on final passage; there were only 3 members on this side who happened to take your position. You count the votes, Mr. Speaker. I have already counted.

RECESS

The SPEAKER. The Chair recognizes the majority leader, who requests that the House be in recess until 3 o'clock. That meets the request of the minority leader. Republicans are to report promptly to the caucus room. Democrats report promptly to their caucus room.

The House stands in recess until 3 p.m.

AFTER RECESS

The time of recess having expired, the House was called to order.

**CALENDAR CONTINUED
RESOLUTION ADOPTED**

Mr. COY called up **HR 64, PN 767**, entitled:

Proclaiming annual recognition of the birthday of James Buchanan.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

Afflerbach	Evans	Lloyd	Rudy
Aiderette	Fargo	Lucyk	Ryan
Angstadt	Fattah	McCall	Rybak
Armstrong	Fee	McClatchy	Saloom
Arty	Fischer	McHale	Salvatore
Baldwin	Flick	McIntyre	Saurman
Barber	Foster, W. W.	McMonagle	Scheetz
Battisto	Foster, Jr., A.	McVerry	Schuler
Belardi	Freeman	Mackowski	Semmel
Belfanti	Freind	Madigan	Serafini
Beloff	Fryer	Maiale	Seventy
Blaum	Gallagher	Manderino	Showers
Book	Gallen	Manmiller	Smith, B.
Bowser	Gamble	Markosek	Smith, L. E.
Boyes	Gannon	Marmion	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G. M.
Broujos	George	Merry	Spencer
Bunt	Gladeck	Michlovic	Spitz
Burd	Godshall	Micozzie	Stairs
Burns	Greenwood	Miller	Steighner
Caftagirone	Gruitza	Miscevich	Stevens
Cappabianca	Gruppo	Moehlmann	Stewart
Carn	Hagarty	Morris	Suban
Cawley	Haluska	Mowery	Sweet
Cessar	Harper	Mrkonic	Swift
Civera	Hasay	Murphy	Taylor, F. E.
Clark	Hayes	Nahill	Telek
Clymer	Herman	Noye	Tigue
Colafella	Hershey	O'Brien	Trello
Cole	Hoeffel	O'Donnell	Truman
Cordisco	Honaman	Olasz	Van Horne
Cornell	Hutchinson	Oliver	Vroon
Coslett	Jackson	Perzel	Wachob
Cowell	Jarolin	Petrarca	Wambach
Coy	Johnson	Petrone	Wargo
Deluca	Kasunic	Phillips	Wass
DeVerter	Kennedy	Piccola	Wiggins
DeWeese	Kosinski	Pievsky	Williams
Daley	Kowalyshyn	Pistella	Wilson
Davies	Kukovich	Pitts	Wogan
Dawida	Lashinger	Pott	Wozniak
Dietz	Laughlin	Preston	Wright, D. R.
Dininni	Lehr	Punt	Wright, J. L.
Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Donatucci	Letterman	Reber	Zwinkl
Dorr	Levin	Reinard	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker

NAYS—1

Cohen

NOT VOTING—8

Cimini	Grieco	Levi	Pratt
Deal	Klingaman	Peterson	Richardson

EXCUSED—4

Itkin	Sirianni	Taylor, E. Z.	Weston
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The question was determined in the affirmative, and the resolution was adopted.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Mr. Speaker, I wish to submit the following remarks for the record.

The SPEAKER. The gentleman will send the remarks to the clerk. They will be enclosed in the record.

Mr. COY submitted the following remarks for the Legislative Journal:

Mr. Speaker, the House of Representatives today considers House Resolution 64 commemorating the birth date of the only citizen from the Commonwealth of Pennsylvania who has been elected to the Presidency of the United States, President James Buchanan.

President Buchanan was born in Franklin County about 4 miles from the village of Mercersburg, well known today for the preparatory school, Mercersburg Academy. President Buchanan's life was highlighted by many successful political ventures, not the least of which was the election as a Representative in this General Assembly for two terms. Following that service, he was elected to the Congress of the United States from Lancaster County, where he lived most of his life on his estate, known as Wheatland.

President Andrew Jackson later appointed Mr. Buchanan to serve as Minister to Russia, and also, later, as Minister to Great Britain. Following his return from overseas, the Pennsylvania legislature elected Mr. Buchanan to be a United States Senator from the State of Pennsylvania. After his service in the United States Senate, he was appointed to the high position of Secretary of State of the United States of America by President Polk.

Mr. Buchanan was nominated in 1856 by the Democratic Party, meeting in convention in Cincinnati, Ohio, to be their nominee for the Presidency of the United States, and was elected that same year. Mr. Buchanan also has the distinction of being known as the only bachelor President—the only man never married to serve in the Presidency of the United States.

April 23 is the date of his birth, and this resolution seeks to commemorate his birthday not only this year but in future years throughout the Commonwealth of Pennsylvania as Pennsylvania's only President.

Mr. Speaker, I ask support for this resolution in commemoration of President James Buchanan.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 179, PN 202, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for the division and reorganization of certain school districts.

On the question, Will the House agree to the bill on third consideration? Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—184

Table listing names of members who voted 'YEAS' (184 total). Includes names like Afflerbach, Alderette, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Bowser, Brandt, Broujos, Bunt, Burd, Burns, Caltagirone, Cappabianca, Carr, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisico, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, Daley, Davies, Dawida, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Duffy, Durham, Evans, Fargo, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freind, Fryer, Gallagher, Gallen, Gannon, Geist, George, Gladock, Godshall, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalshyn, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Levi, Levin, Linton, Livengood, Lloyd, McCall, McClatchy, McHale, McIntyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Markosek, Marmion, Mayernik, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Piccola, Pievsky, Pistella, Pitts, Pratt, Preston, Punt, Rappaport, Reber, Reinard, Rieger, Robbins, Ryan, Rybak, Saloom, Salvatore, Saurman, Schetz, Schuler, Semmel, Serafini, Seventy, Showers, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wass, Wiggins, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Zwikl, Irvis, Speaker.

NAYS—10

Table listing names of members who voted 'NAYS' (10 total). Includes names like Angstadt, Boyes, DeWeese, Fattah, Freeman, Kukovich, Phillips, Pott, Rudy, Wargo.

NOT VOTING—5

Table listing names of members who did not vote (5 total). Includes Deal, Gamble, Hutchinson, Lucyk, Richardson.

EXCUSED—4

Table listing names of members who were excused (4 total). Includes Itkin, Sirianni, Taylor, E. Z., Weston.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

RESOLUTION ADOPTED

Mr. LAUGHLIN called up **HR 60, PN 721**, entitled:

Directing the House Committee on Transportation to conduct an immediate investigation on the impact of Conrail operations in Pennsylvania.

On the question,

Will the House adopt the resolution?

Mr. LAUGHLIN offered the following amendments No. A0418:

Amend First Resolved Clause, page 2, line 5, by striking out "as a result of" and inserting
resulting from

Amend First Resolved Clause, page 2, line 6, by striking out all of said line and inserting
expenses and efforts expended on behalf of Conrail, specifically including the manner in which the Conrail system utilized the tax credits provided by section 1101.2 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971; and be it further

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, very briefly, the amendment merely clarifies the language as to the object of the investigation. I contacted Representative Cessar to explain the amendment, and I am not aware of any opposition to it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

Afflerbach	Durham	Linton	Rieger
Alderette	Evans	Livengood	Robbins
Angstadt	Fargo	Lloyd	Rudy
Armstrong	Fattah	Lucyk	Ryan
Arty	Fee	McCall	Rybak
Baldwin	Fischer	McClatchy	Saloom
Barber	Flick	McHale	Salvatore
Battisto	Foster, W. W.	McIntyre	Saurman
Belardi	Foster, Jr., A.	McMonagle	Scheetz
Belfanti	Freeman	McVerry	Schuler
Beloff	Freind	Mackowski	Semmel
Blaum	Fryer	Madigan	Serafini
Book	Gallagher	Maiale	Seventy
Bowser	Gallen	Manderino	Showers
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Markosek	Smith, L. E.
Broujos	Geist	Marmion	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G. M.
Burd	Gladeck	Merry	Spencer
Burns	Godshall	Michlovic	Spitz
Caltagirone	Greenwood	Micozzie	Stairs
Cappabianca	Grieco	Miller	Steighner
Carn	Gruitza	Miscevich	Stevens
Cawley	Gruppo	Moehlmann	Stewart
Cessar	Hagarty	Morris	Stuban
Cimini	Haluska	Mowery	Sweet
Civera	Harper	Mrkonc	Swift
Clark	Hasay	Murphy	Taylor, F. E.
Clymer	Hayes	Nahill	Telek
Cohen	Herman	Noye	Tigue
Colafella	Hershey	O'Brien	Trello

Cole	Hoeffel	O'Donnell	Truman
Cordisco	Honaman	Olasz	Van Horne
Cornell	Hutchinson	Oliver	Vroon
Coslett	Jackson	Perzel	Wachob
Cowell	Jarolin	Peterson	Wambach
Coy	Johnson	Petrarca	Wargo
Deluca	Kasunic	Petrone	Wass
DeVerter	Kennedy	Phillips	Wiggins
DeWeese	Klingaman	Piccola	Williams
Daley	Kosinski	Pievsky	Wilson
Davies	Kowalshyn	Pistella	Wogan
Dawida	Kukovich	Pitts	Wozniak
Deal	Leshinger	Pott	Wright, D. R.
Dietz	Laughlin	Preston	Wright, J. L.
Dininni	Lehr	Punt	Wright, R. C.
Dombrowski	Lescovitz	Rappaport	Zwinkl
Donatucci	Letterman	Reber	
Dorr	Levi	Reinard	Irvis,
Duffy	Levin	Richardson	Speaker

NAYS—0

NOT VOTING—1

Pratt

EXCUSED—4

Itkin	Sirianni	Taylor, E. Z.	Weston
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—197

Afflerbach	Durham	Linton	Rieger
Alderette	Evans	Livengood	Robbins
Angstadt	Fargo	Lloyd	Rudy
Armstrong	Fattah	Lucyk	Ryan
Arty	Fee	McCall	Rybak
Baldwin	Fischer	McClatchy	Saloom
Barber	Flick	McHale	Salvatore
Battisto	Foster, W. W.	McIntyre	Saurman
Belardi	Foster, Jr., A.	McMonagle	Scheetz
Belfanti	Freeman	McVerry	Schuler
Beloff	Freind	Mackowski	Semmel
Blaum	Fryer	Madigan	Serafini
Book	Gallagher	Maiale	Seventy
Bowser	Gallen	Manderino	Showers
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Markosek	Smith, L. E.
Broujos	Geist	Marmion	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G. M.
Burd	Gladeck	Merry	Spencer
Burns	Godshall	Michlovic	Spitz
Caltagirone	Greenwood	Micozzie	Stairs
Cappabianca	Grieco	Miller	Steighner
Carn	Gruitza	Miscevich	Stevens
Cawley	Gruppo	Moehlmann	Stewart
Cessar	Hagarty	Morris	Stuban
Cimini	Haluska	Mowery	Sweet
Civera	Harper	Mrkonc	Taylor, F. E.
Clark	Hasay	Murphy	Telek
Clymer	Hayes	Nahill	Tigue
Cohen	Herman	Noye	Trello
Colafella	Hershey	O'Brien	Truman
Cole	Hoeffel	O'Donnell	Van Horne
Cordisco	Honaman	Olasz	Vroon
Cornell	Hutchinson	Oliver	Wachob
Coslett	Jackson	Perzel	Wambach
Cowell	Jarolin	Peterson	Wargo
Coy	Johnson	Petrarca	Wass
Deluca	Kasunic	Petrone	Wiggins
DeVerter	Kennedy	Phillips	Williams
DeWeese	Klingaman	Piccola	Wilson

Daley	Kosinski	Pievsy	Wogan
Davies	Kowalshyn	Pistella	Wozniak
Dawida	Kukovich	Pitts	Wright, D. R.
Deal	Lashinger	Pott	Wright, J. L.
Dietz	Laughlin	Preston	Wright, R. C.
Dininni	Lehr	Punt	Zwinkl
Dombrowski	Lescovitz	Rappaport	
Donatucci	Letterman	Reber	Irvis,
Dorr	Levi	Reinard	Speaker
Duffy	Levin	Richardson	

NAYS—0

NOT VOTING—2

Pratt Swift

EXCUSED—4

Itkin Sirianni Taylor, E. Z. Weston

The question was determined in the affirmative, and the resolution as amended was adopted.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Lucyk. For what purpose does the gentleman rise?

Mr. LUCYK. Mr. Speaker, my switch did not function on HB 179. I would like to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

STATEMENT BY SPEAKER

The SPEAKER. Incidentally, it has occurred to the Chair that some of the junior members may not recognize that when the Chair says your remarks will be spread upon the record, that does not mean that the voting record will be changed. I think some of you may have been under the misapprehension that saying I want my vote to be recorded in the negative or the affirmative will appear on the official record. That is not so. When the Chair says your remarks will be spread upon the record, it means your remarks will be printed in the Journal. That may cause some of you some problems if you did not vote, but there is no way that we can officially change the voting record simply by taking remarks from the floor.

RESOLUTION

The SPEAKER. The Chair now recognizes the minority leader. For what purpose does the gentleman rise?

Mr. RYAN. Mr. Speaker, I rise at this time to submit for consideration a privileged concurrent resolution.

The SPEAKER. The clerk will read the privileged concurrent resolution.

The following resolution was read:

House Resolution No. 72

In the House of Representatives,

RESOLVED (the Senate concurring), That Senate Bill No. 1, Printer's No. 687, entitled "An act amending the act of April 9, 1929 (P.L.177, No.175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of

the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' further providing for expenditures for the motor vehicle emission inspection program; establishing a credit program for certain inspection fees; further providing for certain bonding requirements; and providing a penalty," be recalled from the Senate for the purpose of further consideration.

Matthew J. Ryan

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the minority leader.
Mr. RYAN. Thank you, Mr. Speaker.

For the benefit of the members, it is a reprint of SB 1's title, and the words "be recalled from the Senate for the purpose of further consideration" is the only language that is in this particular resolution that is of any moment.

Mr. Speaker, it is my understanding that this particular resolution will require 102 votes. Would the Chair advise me if that is accurate?

The SPEAKER. The gentleman is absolutely correct. The concurrent resolution requires a constitutional majority of 102.

Mr. RYAN. That being the case, Mr. Speaker, it pretty much goes without saying that I am going to need some help from over on the other side on this as well as a good deal of help from my own side. There is really not a whole lot I can say that has not already been said. I will, however, if for no other reason than for my own benefit, repeat some of the remarks that have been said off and on over the past several weeks with respect to the adoption of SB 1.

If you recall, over, I guess, the past 3 or 4 weeks, we have at one time or another had before us this bill, SB 1, dealing with emissions control. We are all familiar with the history of this legislation, the need for the legislation, the irritation that so many of us have with respect to the need for the legislation because of the actions of the Federal court, the carrot-and-stick theory, the imposition on the people of the Commonwealth by the Federal court of what so many of us think is unfair. The other side of the coin has rarely been looked at, and that is the interest of the people who are primarily interested in the question of clean air. We have kind of ignored that as we have suffered over the economic considerations of the particular bill that is before us. I think, though, now it is not so much the merits of the bill that is before this House as it is the need for this House to take some action and indeed take that action today.

I have heard discussions have taken place with some of the Senate leadership, both sides, some of the House leadership, both sides, and evidently, if there is not an impasse, there certainly is one in the wings. I can foresee, based on the remarks of the majority leader, that the appointees of the majority leader—and I guess if I were majority leader, I would do it—would probably reflect to a great extent his own thinking.

We have watched a history of legislation as it has come through this House most recently where really no one, except the general treasury of this Commonwealth, would be affected by the passage of SB 1. Yet a totally ineffectual bill from a financial standpoint could not get the votes of many of the people who had inserted the amendments that made this really a harmless bill in the economic sense to the citizens of Pennsylvania. Those who protested the greatest at the inequities of SB 1 amended that bill some weeks ago and yet, even after these amendments were in, refused to vote for the bill.

I kind of think, Mr. Speaker, that that attitude probably precludes a conference committee from ever getting a conference committee report out before the House and the Senate. I am one who would rarely make such a prediction, because I believe that a conference committee in the usual case is the place to iron out differences between the House and the Senate. I believe, however, in this particular instance, and perhaps there will be additional instances as the year goes on, that we should take unusual steps, and I am suggesting that this is one of those times. I think this House today should recall from the Senate SB 1. I think after that, this House should reconsider its vote on the question of concurrence and then, with 102-plus votes, pass SB 1.

I remind you again of the support for SB 1 as it appeared before us for concurrence. We had the support of all of the major unions in the Commonwealth of Pennsylvania. We had the support of the major business organizations or the representatives of those organizations in the Commonwealth of Pennsylvania. We have had the editorial support of no greater critic than some of the western newspapers who were first to criticize this whole project. Now, apparently, they have done an about-face and have editorialized that we should adopt SB 1. As I listened to the television and listened to the news this past weekend, as I read the editorial comments in the south-eastern media, they, too, apparently are urging now that we adopt SB 1. I have seen Xerox copies of newspaper reports from the center part of the State, really from throughout the State, saying it is time we adopted SB 1.

This past week, after we failed to concur last Tuesday or Wednesday, I sent letters out to many of the union leaders of this State who had contacted me over the past 2 or 3 weeks urging the adoption of SB 1. I sent copies of roll calls to them. I asked them to contact some of our members on both sides of the aisle to explain to them the problem, to explain to them the need for the adoption of this bill, to explain to each of us just how important the adoption of this bill in a timely fashion is to the working men and women of this Commonwealth, to explain to us, as only our constituents can, the need for the construction that is being held up by the failure to pass this bill.

I have not mentioned anything here today that is new, with the possible exception of my belief that in conference this bill will have reached an impasse and, if nothing else, will delay if not defeat the initiation of new construction, the initiation of the jobs that go with that construction, at least for this building season. I think it is incumbent on each of us, if we intend to remain as incumbents, that we address this issue now.

I would ask that this resolution, this privileged resolution, be immediately considered and adopted, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

I listened with some interest to the remarks of the minority leader. It seems to me that there are two issues before us: one is an issue of substance and the other is an issue of procedure. On the question of substance, I voted with the minority leader on final passage of this bill when it left the House. We have no substantial disagreements on the question of substance. I would speak briefly to the question of procedure.

Mr. Speaker, the minority leader has indicated that we have an impasse. It seems to me that he is concluding prematurely that we have an impasse. If this bill should go to a committee of conference and be rejected or go through a prolonged period of inactivity, then it might be possible to allege that there had been an impasse. But the fact of the matter is, Mr. Speaker, that this bill has not gone to conference and that there is no discernable, palatable impasse at this point.

It seems to me rather strange, Mr. Speaker, that as a member of a minority caucus for the past two sessions, I have sat in my seat and I have seen every substantive piece of legislation go to a committee of conference. An innocuous bill of some sort would find itself in a committee of conference, and then like a jack-in-the-box, out of that committee would come a full-blown piece of major legislation. That worked very well, Mr. Speaker; it worked very well to exclude the minority caucuses from participating in the decisionmaking of this House. But now it seems, Mr. Speaker, that the tables have turned, that the Democrats are now in the majority in the House, and it is no longer acceptable to resolve differences of opinion in committees of conference because then the majority party would have some part to play in a compromise. It appears that it is a good deal easier for the Governor and for the Republicans in the Senate to meet, to agree among themselves, to call their agreement a compromise, and then label the Democrats recalcitrant if they do not bow and scrape before the proposal that is presented to them.

Now, Mr. Speaker, it seems to me that there is an important issue here, and that is the issue of whether or not those of us who have been elected to this House will have their election acknowledged by those who are in control of two important branches of this government. It seems to me that if we adopt this concurrent resolution today, those of us who sit on this side of the aisle will simply acknowledge that we do not wish to be a part of any agreement, we do not want to be a part of any compromise, that we are willing for the Governor and for the Senate to dictate the policies of this Commonwealth without our having an input.

I think, Mr. Speaker, that this bill should go to a committee of conference. My vote, to the extent that it has any impact, will be a statement, not against the provisions of the bill but for a procedure which will give the Democrats in this House some input in what happens in the House. I ask my colleagues to vote against the concurrent resolution.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Only, Mr. Speaker, to urge that we all follow the rules of the House and vote only if we are in the seat.

The SPEAKER. The Chair repeats the instructions of the majority leader. Only those members who are physically present in their seats may vote or be voted.

Those in favor of the concurrent resolution will vote "aye"; those opposed to the concurrent resolution will vote "no."

On the question recurring,
Will the House adopt the resolution?

(Members proceeded to vote.)

VOTE CHALLENGED

The SPEAKER. Are there any challenges to the votes?

Mr. MANDERINO. If they are going to keep putting them up there, I am going to challenge them.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Is the gentleman, Mr. Nahill, present?

The SPEAKER. Is the gentleman, Mr. Nahill, on the floor of the House? If he is not, remove the vote.

Are there any further challenges to the vote on either side?

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—87

Angstadt	Flick	Lashingier	Robbins
Armstrong	Foster, W. W.	Lehr	Ryan
Arty	Foster, Jr., A.	McClatchy	Salvatore
Belardi	Freind	McVerry	Saurman
Book	Gallen	Madigan	Scheetz
Bowser	Gannon	Manmiller	Schuler
Boyes	Geist	Marmion	Semmel
Brandt	Gladeck	Merry	Serafini
Bunt	Godshall	Micozzie	Smith, B.
Burd	Greenwood	Miller	Smith, L. E.
Burns	Grieco	Moehlmann	Snyder, D. W.
Cessar	Gruppo	Mowery	Snyder, G. M.
Civera	Hagarty	Noye	Spencer
Clymer	Hasay	Perzel	Stairs
Coslett	Hayes	Peterson	Swift
DeVerter	Herman	Phillips	Telek
Davies	Hershey	Piccola	Vroon
Dietz	Honaman	Pitts	Wass
Dininni	Jackson	Pott	Wilson
Dorr	Johnson	Punt	Wright, J. L.
Durham	Kennedy	Reber	Wright, R. C.
Fargo	Klingaman	Reinard	

NAYS—99

Afflerbach	Duffy	Lucyk	Rudy
Alderette	Evans	McCall	Rybak
Baldwin	Fattah	McHale	Saloom
Barber	Fee	McIntyre	Seventy
Battisto	Fischer	McMonagle	Showers
Belfanti	Freeman	Maiale	Steighner
Blaum	Fryer	Manderino	Stewart

Broujos	Gallagher	Markosek	Stuban
Caltagirone	Gamble	Mayernik	Sweet
Cappabianca	George	Michlovic	Taylor, F. E.
Carn	Gruitza	Miscevich	Tigue
Cawley	Haluska	Morris	Trello
Clark	Harper	Mrkonic	Truman
Cohen	Hoeffel	Murphy	Van Horne
Colafella	Hutchinson	O'Donnell	Wachob
Cole	Jarolin	Olasz	Wambach
Cordisico	Kasunic	Oliver	Wargo
Cowell	Kosinski	Petrarca	Wiggins
Coy	Kowalyshyn	Petrone	Williams
Deluca	Kukovich	Pievsky	Wozniak
DeWeese	Laughlin	Pistella	Wright, D. R.
Daley	Lescovitz	Pratt	Zwinkl
Dawida	Letterman	Preston	
Deal	Linton	Richardson	Irvis,
Dombrowski	Lloyd	Rieger	Speaker
Donatucci			

NOT VOTING—13

Beloff	Levin	Nahill	Spitz
Cimini	Livengood	O'Brien	Stevens
Cornell	Mackowski	Rappaport	Wogan
Levi			

EXCUSED—4

Itkin	Sirianni	Taylor, E. Z.	Weston
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The question was determined in the negative, and the resolution was not adopted.

CONSIDERATION OF HB 189 RESUMED

On the question recurring,
Will the House agree to the bill on third consideration as amended?

Mr. DORR offered the following amendment No. A0473:

Amend Sec. 1 (Sec. 502), page 5, lines 12 through 17, by striking out all of said lines and inserting

(1) serious physical illness or injury if: (i) the taxpayer is a permanent resident of the Commonwealth, (ii) the illness or injury occurred in the tax year for which the taxes were assessed, (iii) the illness or injury has had a continuous debilitating effect on the taxpayer for a substantial portion of the redemption period provided by section 501(a), and (iv) the illness or injury has been the dominant cause for both the initial default and for the taxpayer's failure to pay the tax by the end of the redemption period provided by section 501(a); or

(2) unemployment if: (i) the taxpayer is a permanent resident of the Commonwealth, (ii) the unemployment occurred during the tax year for which the taxes were assessed, (iii) the unemployment has continued for a substantial portion of the redemption period provided by section 501(a), and (iv) the unemployment has been the dominant cause for both the initial default and the taxpayer's failure to pay the tax by the end of the redemption period provided by section 501(a).

On the question,
Will the House agree to the amendment?

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House the wife of Representative Tom Michlovic, Mrs. Gwen Michlovic. She is here, of course, as the guest of her husband and, I understand, the whole Republican delegation from Allegheny County. That is quite an achievement.

CONSIDERATION OF HB 189 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, we have made an effort to place language in the amendment which I think solves the problems that Mr. Laughlin and the majority leader were raising earlier. It requires that the unemployment and the physical disability in the first section be continuing for a substantial portion of the redemption period rather than continuously throughout the redemption period.

I would urge adoption of the amendment.

The SPEAKER. Does the gentleman from Beaver, Mr. Laughlin, require recognition? The Chair recognizes the gentleman.

Mr. LAUGHLIN. Mr. Speaker, I would ask that the bill be held over until tomorrow—okay?—because I want to take a look at that as it is in the bill rather than just on your amendment. All right? Thank you.

AMENDMENT WITHDRAWN AND BILL PASSED OVER

The SPEAKER. Without objection, the gentleman, Mr. Dorr, withdraws his amendment, and without objection, HB 189, PN 586, will be passed over for the day. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 128, PN 578, entitled:

An Act amending the act of July 9, 1976 (P. L. 903, No. 161), entitled "An act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled, 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges;....,' providing for the office of Consumer Advocate in the Department of Justice for a limited period;....," extending the time for the management of the office of Consumer Advocate; establishing different budget procedures; requiring the monitoring of certain Federal regulatory agencies; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Mr. DeWEESE offered the following amendment No. A0428:

Amend Sec. 4, page 4, line 29, by inserting after "thereafter." Except for the requirement for the Consumer Advocate to submit his estimate by November 1, the budgetary procedures of section 3.1 shall also apply to the budget of the Office of Consumer Advocate for fiscal year 1983-1984 and shall be in lieu of the approval of a budget for fiscal year 1983-1984 pursuant to section 904-A.1 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, prior to the effective date of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, this measure makes sense. We have passed the bill, in essence SB 128, on two different occasions last year. What we are trying to do with this amendment is make the new budget process applicable to this year. It is not complicated, but I would answer any questions if there are any forthcoming.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—177

Table listing names of members who voted 'YEAS' (177 total). Includes names like Afferbach, Alderette, Angstadt, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Boyes, Broujos, Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Deal, Dietz, Dombrowski, Donatucci, Dorr, Duffy, Durham, Evans, Fattah, Fee, Fischer, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gamble, Gannon, George, Gladeck, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hoeffel, Honaman, Hutchinson, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalshyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Levi, Levin, Linton, Livengood, Lloyd, Lucyk, McCall, McHale, McIntyre, McMonagle, McVerry, Madigan, Maiale, Manderino, Manmiller, Markosek, Marmion, Mayernik, Michlovic, Micozzie, Miscovich, Morris, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pratt, Preston, Punt, Rappaport, Reber, Reinard, Richardson, Rieger, Robbins, Rudy, Ryan, Rybak, Saloom, Salvatore, Semmel, Serafini, Seventy, Showers, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wiggins, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Zwinkl, and Speaker.

NAYS—19

Table listing names of members who voted 'NAYS' (19 total). Includes names like Armstrong, Bowser, Brandt, Bunt, Dininni, Fargo, Flick, Gallen, Godshall, Hershey, McClatchy, Merry, Miller, Mochlmann, Mowery, Pott, Saurman, Scheetz, and Schuler.

NOT VOTING—3

Geist Mackowski Spitz
EXCUSED—4

Itkin Sirianni Taylor, E. Z. Weston

The question was determined in the affirmative, and the amendment was agreed to.

On the question,

Will the House agree to the bill on third consideration as amended?

Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—192

Afflerbach	Durham	Linton	Rieger
Alderette	Evans	Livengood	Robbins
Angstadt	Fargo	Lloyd	Rudy
Armstrong	Fattah	Lucyk	Ryan
Arty	Fee	McCall	Rybak
Baldwin	Fischer	McClatchy	Saloom
Barber	Flick	McHale	Salvatore
Battisto	Foster, W. W.	McIntyre	Saurman
Belardi	Foster, Jr., A.	McMonagle	Scheetz
Belfanti	Freeman	McVerry	Schuler
Beloff	Freind	Mackowski	Semmel
Blaum	Fryer	Madigan	Serafini
Book	Gallagher	Maiale	Seventy
Bowser	Gallen	Manderino	Showers
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Markosek	Smith, L. E.
Broujos	George	Marmion	Snyder, D. W.
Bunt	Gladeck	Mayernik	Snyder, G. M.
Burd	Godshall	Merry	Spencer
Burns	Greenwood	Michlovic	Stairs
Caltagirone	Grieco	Micozzie	Steighner
Cappabianca	Gruitza	Miller	Stevens
Carn	Gruppo	Miscevich	Stewart
Cawley	Hagarty	Moehlmann	Stuban
Cessar	Haluska	Morris	Sweet
Cimini	Harper	Mowery	Swift
Civera	Hasay	Mrkonic	Taylor, F. E.
Clark	Hayes	Murphy	Telck
Clymer	Herman	O'Brien	Tigue
Cohen	Hershey	O'Donnell	Trello
Colafiglia	Hoeffel	Olasz	Truman
Cole	Honaman	Oliver	Van Horne
Cordisco	Hutchinson	Perzel	Wachob
Cornell	Jackson	Peterson	Wambach
Coslett	Jarolin	Petrarca	Wargo
Cowell	Johnson	Petrone	Wass
Coy	Kasunic	Phillips	Wiggins
Deluca	Kennedy	Piccola	Williams
DeVerter	Klingaman	Pievsky	Wilson
DeWeese	Kosinski	Pistella	Wogan
Daley	Kowalyshyn	Pott	Wozniak
Davies	Kukovich	Pratt	Wright, D. R.
Dawida	Lashinger	Preston	Wright, J. L.
Deal	Laughlin	Punt	Wright, R. C.
Dietz	Lehr	Rappaport	Zwinkl
Dombrowski	Lescovitz	Reber	
Donatucci	Letterman	Reinard	Irvis,
Dorr	Levi	Richardson	Speaker
Duffy	Levin		

NAYS—3

Dininni Noye Vroon
NOT VOTING—4

Geist Nahill Pitts Spitz
EXCUSED—4

Itkin Sirianni Taylor, E. Z. Weston

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House a former member who is distinguishing himself now as a member of the United States House of Representatives, the gentleman, Mr. Kolter.

The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I was wondering if Congressman Kolter's presence means that at long last Congress is going to memorialize us for something?

The SPEAKER. That would be a switch, but if they do, I promise you we will pay exactly the same attention to their memorials as they have paid to ours.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Nahill. For what purpose does the gentleman rise?

Mr. NAHILL. Thank you, Mr. Speaker.

Mr. Speaker, during the vote on HR 72 I was in my office, and if I had been present, I would have voted in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

The Chair recognizes the gentleman from Venango, Mr. Levi. For what purpose does the gentleman rise?

Mr. LEVI. Mr. Speaker, I was called off the floor when they voted on HR 72. I would like to be voted in the affirmative, please.

The SPEAKER. The gentleman's remarks will be spread upon the record.

HOUSE SCHEDULE

The SPEAKER. The Chair wishes to announce that tomorrow will be a regular session; however, we shall be moving bills on the calendar but probably not taking votes. But because of the possibility that there may be a committee of conference named on SB 1, all members on both sides of the aisle must remain in Harrisburg and be subject to call to the floor.

ANNOUNCEMENT BY MR. ZWIKL

The SPEAKER. There is a very important conference on Pennsylvania's economic future being held tomorrow, and there are a number of members who would like to have that explained on the floor so they may know whether they should be in attendance.

The Chair recognizes the gentleman from Lehigh, Mr. Zwinkl, for purposes of elucidating what the conference is about and its importance.

The Chair recognizes the gentleman, Mr. Zwinkl.

Mr. ZWIKL. Mr. Speaker, several months ago members of both parties in both chambers got together with the administration and people from the public television network in an effort to put together a conference on Pennsylvania's economic future. This is a carry-over from the Ben Franklin Symposiums that were held in 1977 and 1979, and the purpose is, of course, to bring together political, economic, and leaders in the field of labor and business to discuss strategies and hopefully reach some solutions to Pennsylvania's economic problems.

This conference is being held tomorrow. It will begin at 9 a.m., and it is being held at the Penn-Harris Motor Inn in Camp Hill. Sessions will run from 9 through 4 o'clock in the afternoon and will include a luncheon. At 4 o'clock leaders of the House and Senate will be involved in a discussion with the Secretary of Commerce, and I would hope that the members of the House will take time out tomorrow to attend a portion or all of this conference that I think you will find very beneficial. We have put together a panel of some excellent speakers, and I am sure you will find it useful. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair would like to reemphasize that all members are to remain in Harrisburg until you are notified by either your leader or by the Chair that you are free to depart. That may mean remaining here all day Tuesday and may mean remaining here all day Wednesday, and it may actually mean that you will be here on Thursday depending upon whatever activity takes place on SB 1.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, would it be fair to say then that the members may attend this conference over at the Penn-Harris and that in the event it is necessary to call us back for a roll-call vote, messages will be relayed through the hotel system for us to return? And then projecting on to the next day, assuming nothing takes place tomorrow with SB 1, would it be wise to simply say to the members that they keep in touch with their office, your office, our offices with respect to what is going to take place on Wednesday?

The SPEAKER. The gentleman's remarks are well taken. The Chair endorses them, and the Chair will try in all cases to notify members well enough in advance so that wherever they may be, assuming they have not gone to Singapore or someplace like that, they will have time to get back. Even those who go to Singapore may wish they had not if they go.

ANNOUNCEMENT BY MR. RICHARDSON

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to make an announcement.

Mr. Speaker, I would like to announce that the sixth annual Legislative School Art Exhibit begins tomorrow from April 19 to April 24, and the art exhibit already has been hung and is now hanging in the Capitol rotunda. It would be important for all of the members to know that they all are invited tomorrow to the noontime ceremony that will be held in the rotunda on behalf of those students who have put in their art from all across the State, including all of the intermediate units.

I think it is important that you listen to this because there may be students from your districts, from your IU's, from your intermediate units, who may have submitted art that may be on display in the Capitol rotunda. For those of you who are wishing to have pictures taken with your students who have won because of the nature of the fact that their art is being hung in the Capitol rotunda, you may call our office to make sure that we can set up arrangements so that you can have pictures taken with those students who in fact have art hanging in the rotunda.

Again, I will repeat that tomorrow at 12 noon there will be a ceremony kicking off the sixth annual Legislative School Art Exhibit in the Main Capitol rotunda, and I ask for all of those who have young people who may have their art hanging in the rotunda and may come from your own individual district, you may want to take a picture with them, and I would advise you to contact our office for any further information. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, I guess it is my turn, Mr. Minority Leader, to urge that there is a necessity to deal with SB 1 posthaste. There is an urgency. There are jobs out there. There are people who obviously would be put back to work if we passed the emissions bill. The next step in the process—and the next step in the process has been the same for 2 weeks now—the next step is the appointment of a conference committee. If the minority leader has influence at all with his brothers in the Senate, we ask him to urge them to take action to appoint a conference committee.

I have been urged by my caucus to pledge to be in session with a conference committee day and night until the matter is resolved. I have been urged by my caucus to let the Governor, the minority party in this House, both parties in the Senate, and all the members, let them know that we stand ready, willing, and able to appoint our conferees and to go to work to get the matter resolved. The matter can be resolved. It is our firm belief that we just are not that far from a resolution.

Mr. Speaker, I ask all the members, as the Speaker did, not to stray far from these halls, because I am hopeful that we will

have a conference report to vote on this week. I hope that we at least meet at a conference table to begin discussing the parameters of a solution that I know is there.

I have spent a number of years in the halls of the Assembly, as have Mr. Ryan, Mr. Hayes, Mr. Irvis, many of us, and I know that when reasonable men sit down, even on the toughest of matters, a resolution can be found. No resolution will ever be found as long as we each stay in our particular corners and not move toward the table of conference where the resolution will come. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The duel is over for the time being.

Does the majority leader have any further business to bring before the House? Does the minority leader have any further business to bring before the House?

Mr. RYAN. No, Mr. Speaker. All I could think of as I was listening to the remarks of Mr. Manderino was Frank Sinatra's song, "My Way." I am sure that it could be resolved.

The SPEAKER. Now, there is no reason to boo the minority leader. He did not sing the song. Please, Mr. Minority Leader, I will strike it from the record if you promise not to sing.

Mr. RYAN. An Irish tenor like me?

The SPEAKER. Oh, dear, not now.

BILLS AND RESOLUTION PASSED OVER

The SPEAKER. Without objection, all remaining bills and the resolution on today's calendar will be passed over. The Chair hears none.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Markosek.

Mr. MARKOSEK. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 19, 1983, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:27 p.m., e.s.t., the House adjourned.