

Legislative Journal

WEDNESDAY, MARCH 24, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 24

SENATE

WEDNESDAY, March 24, 1982.

The Senate met at 10:30 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor William W. Scranton III) in the Chair.

PRAYER

The Chaplain, the Reverend Mr. TIMOTHY HOFFMAN, Pastor of Mount Zion Evangelical Lutheran Church, Lewisberry, offered the following prayer:

Let us pray.

Eternal Father, from whom all good things come, we pray again for Your blessing upon us as we govern Your people.

Help us to be wise, compassionate and understanding of others in their genuine needs.

Lord, we would pray as we part later this week, You would grant us safe journey to our homes.

In Christ's name we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of March 23, 1982.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator JUBELIRER, further reading was dispensed with, and the Journal was approved.

SENATOR JUBELIRER TO VOTE FOR SENATOR SHAFFER, SENATOR LOEPER, SENATOR HAGER AND SENATOR PECORA

Senator JUBELIRER. Mr. President, I request a continuing legislative leave of absence for the reasons given yesterday for Senator Shaffer and Senator Loeper and a legislative leave for Senator Hager who will be leaving the floor for legislative business momentarily.

Mr. President, I also ask for a temporary legislative leave for Senator Pecora who is with constituents in the Governor's Office at this time. I would ask for a temporary legislative leave for him.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

SENATOR SCANLON TO VOTE FOR SENATOR FUMO, SENATOR LEWIS, SENATOR LYNCH, SENATOR KELLEY AND SENATOR BODACK

Senator SCANLON. Mr. President, I am requesting legislative leave for Senator Fumo, Senator Lewis, Senator Lynch, Senator Kelley and Senator Bodack.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

LEAVES OF ABSENCE

Senator JUBELIRER asked and obtained leaves of absence for Senators HOWARD and STREET, for today's Session, for personal reasons.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 144**, with the information that the House has passed the same without amendments.

BILL SIGNED

The PRESIDENT (Lieutenant Governor William W. Scranton III) in the presence of the Senate signed the following bill:

SB 144.

CALENDAR

SB 557 CALLED UP OUT OF ORDER

SB 557 (Pr. No. 569) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 557 (Pr. No. 569) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—44

Bell	Hess	Manbeck	Ross
Bodack	Holl	Mellow	Scanlon
Corman	Hopper	Messinger	Shaffer
Early	Jubelirer	Moore	Singel
Fisher	Kelley	Murray	Snyder
Fumo	Kusse	O'Pake	Stamphone
Gekas	Lewis	Pecora	Stapleton
Greenleaf	Lincoln	Price	Stauffer
Hager	Loeper	Reibman	Stout
Hankins	Lynch	Rhoades	Tilghman
Helfrick	McKinney	Romanelli	Wilt

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Not being present at the time of roll call, Senator O'CONNELL announced his vote in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

1981 PENNSYLVANIA BITUMINOUS COAL QUEEN PRESENTED TO SENATE

Senator STOUT. Mr. President, on behalf of the gentleman from Fayette, Senator Lincoln, and myself, it gives me great pleasure to introduce a special guest to the Senate today.

For over twenty-eight years the King Coal Association of Carmichaels, Greene County, has been selecting a young lady to represent the bituminous coal industry of Pennsylvania. The 1981 Pennsylvania Bituminous Coal Queen is from Carmichaels, the Forty-sixth Senatorial District. I am happy the queen this year, the lovely Lisa Elek, can be with us this morning. She is accompanied by Mrs. Connie Morris, Director of the Coal Queen Pageant, and by her mother, Mrs. Betty Elek.

Mr. President, at this time I would like Mrs. Connie Morris and Mrs. Elek to stand to be recognized.

(Applause.)

Senator STOUT. Mr. President, Lisa met with the Governor earlier today and was honored at a dinner last night hosted by the Keystone Bituminous Coal Association.

Later this morning she will be introduced in the House of Representatives.

Lisa is presently a senior at Carmichaels Area High School. She is a member of "Who's Who of American High School Students," the drama club, the Spanish club, a library aide and has been a cheerleader for the past three years. Lisa also holds the title of Miss Dance of Pennsylvania and is a second alternate in Miss Dance of America. She operates a dance studio in Carmichaels and teaches at the Rebecca Wilson Dance Studio.

During the Coal Queen competition, Lisa performed ballet and acrobatic dance.

Mr. President, it gives me great pleasure to introduce to the Senate of Pennsylvania, Miss Lisa Elek, the 1981 Coal Queen and ask that she receive the warm reception of the Senate.

(Applause.)

Miss ELEK. Mr. President and distinguished Members of the Senate: For a girl from a rural county in the heart of Penn-

sylvania's coal region, I must say this is an incredible experience.

I am very honored to have been selected as Pennsylvania's Coal Queen. As a result, I will be representing Pennsylvania's Bituminous Coal Association throughout the year. In this capacity I am kept very busy attending the functions of various civic clubs and social organizations. Thus far my reign has been very enjoyable and I have met many wonderful people.

I have found that having been bestowed with this title requires more of me than to be simply another pretty face. Whether I am riding a float in a parade, or attending various functions, I not only represent Coal Queen itself, but also the thousands of Pennsylvanians who are involved in our coal industry.

I have grown up in a community where the basic industry is coal and where nearly every business is dependent upon the miner's income. Being the daughter of a coal miner, I am also very familiar with the hazards that miners face every day in spite of the progress made over the years in the area of safety. In this age of energy shortages, the emphasis upon coal production has increased over the years, yet the coal mines in our area have been closing.

It is my hope that coal miners, and consequently the area in which I live, do have a bright future for I am sure that such a situation would be beneficial for the entire Commonwealth.

I am very happy to be here and I have enjoyed my stay and I applaud you for continuing your efforts on behalf of the coal miners.

(Applause.)

The PRESIDENT. Thank you, Lisa, very much for being our guest today. We wish you the best of luck for a most happy and successful reign.

PERMISSION TO ADDRESS SENATE

Senator O'CONNELL asked and obtained unanimous consent to address the Senate.

Senator O'CONNELL. Mr. President, again today, I was at a very important meeting with Representative Coughlin and the PUC involving some constituent problems and failed to vote on Senate Bill No. 557, Printer's No. 569. Had I been in my seat, I would have voted affirmatively.

The PRESIDENT. The remarks of the gentleman will be spread upon the record.

RECESS

Senator JUBELIRER. Mr. President, I request a recess of the Senate until 11:30 a.m., for the purpose of holding a Republican caucus and a Democratic caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 11:30 a.m., Eastern Standard Time.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

LEGISLATIVE LEAVES REQUESTED FOR MEMBERS ATTENDING MEETING OF THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Senator JUBELIRER. Mr. President, Senator O’Pake and Senator Fisher both are attending a meeting of the Pennsylvania Commission on Crime and Delinquency and with the permission of the gentleman from Allegheny, Senator Zemprelli, I would ask for legislative leave for both of them.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

SENATOR ZEMPRELLI TO VOTE FOR SENATOR HANKINS

Senator ZEMPRELLI. Mr. President, I would ask for a legislative leave on behalf of Senator Hankins who had to attend a legislative session in Philadelphia at 2:00 p.m.

The PRESIDENT. The Chair hears no objection and the leave is granted.

LEGISLATIVE LEAVE WITHDRAWN

Senator KELLEY. Mr. President, I would like the record to reflect I have returned to the floor. Cancel my legislative leave, please.

The PRESIDENT. Senator Kelley’s legislative leave will be cancelled.

PERMISSION TO ADDRESS SENATE

Senator ANDREZESKI asked and obtained unanimous consent to address the Senate.

Senator ANDREZESKI. Mr. President, earlier today when Senate Bill No. 557 was voted upon, I was out of the building on legislative business. I would like the record to show that had I been present on the floor at that time, I would have voted in the affirmative on Senate Bill No. 557.

The PRESIDENT. The remarks of the gentleman will be spread upon the record.

CONSIDERATION OF CALENDAR RESUMED

REPORT OF COMMITTEE OF CONFERENCE

BILL OVER IN ORDER

SB 277 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 179 (Pr. No. 1734) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 179.

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

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O’Connell	Stampone
Fumo	Lewis	O’Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

SB 1286 (Pr. No. 1593) — On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVE WITHDRAWN

Senator JUBELIRER. Mr. President, I would like the record to note that Senator Pecora is now here and is not on legislative leave any further.

The PRESIDENT. The gentleman’s remarks are duly noted.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O’Connell	Stampone
Fumo	Lewis	O’Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 704 (Pr. No. 3054) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampone
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1118 (Pr. No. 1241) — Considered the third time,

On the question,
Will the Senate agree to the bill on third consideration?

Senator JUBELIRER. Mr. President, I request that House Bill No. 1118 go over in its order.

The PRESIDENT. Without objection, House Bill No. 1118 will go over in its order.

Senator O'PAKE. Mr. President, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

MOTION FOR BILL OVER IN ORDER

Senator JUBELIRER. Mr. President, I move that House Bill No. 1118 go over in its order.

The PRESIDENT. House Bill No. 1118 has gone over in its order.

Senator JUBELIRER. I will withdraw the request and put it in the form of a motion.

The PRESIDENT. The Chair reverses its decision. It has been moved by Senator Jubelirer that House Bill No. 1118 go over in its order.

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

Senator SCANLON. Mr. President, I am opposed to the motion to take this bill over in its order and I am asking for a roll call. I am asking the Members of my caucus to vote against the motion to take this bill over in its order.

And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Senator JUBELIRER and Senator SCANLON and were as follows, viz:

YEAS—24

Bell	Helfrick	Loeper	Rhoades
Corman	Hess	Manbeck	Shaffer
Fisher	Holl	Moore	Snyder
Gekas	Hopper	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Tilghman
Hager	Kusse	Price	Wilt

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

The PRESIDENT. The Chair exercises its constitutional prerogative to vote and will vote "aye." Therefore, the official vote is as follows:

YEAS—25

Bell	Helfrick	Loeper	Rhoades
Corman	Hess	Manbeck	Shaffer
Fisher	Holl	Moore	Snyder
Gekas	Hopper	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Tilghman
Hager	Kusse	Price	Wilt

The President

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. House Bill No. 1118 will go over in its order.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1182 (Pr. No. 1764) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

SB 1234 (Pr. No. 1768) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 1279 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1284 (Pr. No. 1726) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Senator LLOYD. Mr. President, I would like to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—32

Corman	Hopper	Manbeck	Ross
Fisher	Jubelirer	Messinger	Scanlon
Gekas	Kelley	Moore	Shaffer
Greenleaf	Kusse	O'Connell	Snyder
Hager	Lewis	Pecora	Stauffer
Hankins	Loeper	Price	Tilghman
Helfrick	Lynch	Reibman	Wilt
Holl	McKinney	Rhoades	Zemprelli

NAYS—16

Andrezeski	Fumo	Mellow	Singel
Bell	Hess	Murray	Stampono
Bodack	Lincoln	O'Pake	Stapleton
Early	Lloyd	Romanelli	Stout

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

SB 1292 (Pr. No. 1765) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

SB 1323 (Pr. No. 1766) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampone
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILLS ON THIRD CONSIDERATION AMENDED

SB 1330 (Pr. No. 1718) — Considered the third time,

On the question,
Will the Senate agree to the bill on third consideration?

Senator RHOADES, by unanimous consent, offered the following amendments:

Amend Sec. 2 (Sec. 4), page 4, line 18, by striking out "agency" and inserting: board

Amend Sec. 2 (Sec. 4), page 6, line 20, by striking out "agency" and inserting: board

Amend Sec. 2 (Sec. 4), page 6, line 21, by removing the commas after "issue" and inserting: for the purposes of making or guaranteeing loans to students or parents, or to lending institutions or to postsecondary institutions for the purpose of student loans,

Amend Sec. 2 (Sec. 4), page 7, lines 10 and 11, by striking out "may, at the discretion of the board," and inserting: shall

Amend Sec. 4 (Sec. 5.1), page 10, line 27, by striking out "agency" and inserting: board

Amend Sec. 4 (Sec. 5.1), page 11, line 3, by striking out "agency" and inserting: board

Amend Sec. 4 (Sec. 5.2), page 11, line 6, by striking out "agency" and inserting: board

Amend Sec. 4 (Sec. 5.2), page 11, line 8, by striking out "its"

Amend Sec. 4 (Sec. 5.2), page 11, by inserting between lines 12 and 13:

(a.1) The proceeds realized from the sale of indebtedness shall be used for the purpose of making or guaranteeing loans to students or parents, or to lending institutions or postsecondary institutions for the purpose of student loans.

On the question,
Will the Senate agree to the amendments?
They were agreed to.

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

Senator RHOADES, by unanimous consent, offered the following amendments:

Amend Sec. 4 (Sec. 5.10), page 19, line 11, by striking out "The" and inserting: (a) Except as provided in subsection (b), the

Amend Sec. 4 (Sec. 5.10), page 19, by inserting between lines 20 and 21:

(b) The provisions of section 5.2 which state that the bonds, notes or evidences of indebtedness of the agency shall not be deemed to constitute a debt of the Commonwealth or a pledge of the faith and credit or the taxing power of the Commonwealth are expressly made nonseverable.

On the question,
Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator RHOADES.

SB 1335 (Pr. No. 1687) — Considered the third time,

On the question,
Will the Senate agree to the bill on third consideration?

Senator STAUFFER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 408.3), page 2, line 26, by inserting brackets before and after "which"

Amend Sec. 1 (Sec. 408.3), page 2, line 27, by inserting a bracket before "shall"

On the question,
Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator STAUFFER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1429 (Pr. No. 3055) — Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—47

Andrezski	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampone
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli
Hess	Manbeck	Ross	

NAYS—1

Bell

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1812 (Pr. No. 2179) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1813 (Pr. No. 2183) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1922 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1972 (Pr. No. 2401) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Andrezeski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT pro tempore (Henry G. Hager) in the Chair.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 50, SB 104, HB 223, SB 526, 527, 528, HB 752, 758, SB 774, 793, HB 794, SB 810 and 844 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 1024 (Pr. No. 1205) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

HB 1040, SB 1046, 1091, 1119, 1120, 1159 and 1194 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

HB 1196 (Pr. No. 1331) and HB 1200 (Pr. No. 1335) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

SB 1253 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL RECOMMITTED

SB 1270 (Pr. No. 1756) — Upon motion of Senator JUBELIRER, and agreed to, the bill was recommitted to the Committee on Banking and Insurance.

BILLS OVER IN ORDER

SB 1281, 1283, 1297, 1299, 1302 and 1309 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION AMENDED

SB 1315 (Pr. No. 1654) — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator GREENLEAF offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 2, page 1, line 16, by inserting after "excitement.": Included are arenas, stadiums, theatres and convention halls.

Amend Sec. 4, page 2, line 27, by inserting after "copy": of those reports which involve physical injury to an individual as a result of the operation of an amusement ride or the use of an amusement attraction

Amend Sec. 4, page 2, line 28, by inserting after "commissioner.": The notice shall indicate the type of amusement ride or attraction by which the injury occurred and the nature of the injury.

Amend Sec. 8, page 3, line 22, by striking out "60" and inserting: 90

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

Ordered, To be printed on the Calendar for third consideration.

BILLS ON SECOND CONSIDERATION

SB 1324 (Pr. No. 1663) and SB 1327 (Pr. No. 1675) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

SB 1331, HB 1739, 1788 and 2036 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

HOUSE CONCURRENT RESOLUTION
NO. 149, CALLED UP

Senator JUBELIRER, without objection, called up from page 10 of the Calendar, House Concurrent Resolution No. 149, entitled:

General Assembly memorialize President and Congress impose specialty steel import limitations under provisions of the Trade Act of 1974.

On the question,

Will the Senate concur in the resolution?

Senator ZEMPRELLI, on behalf of Senator O'PAKE, offered the following amendment:

Amend second Resolve Clause, page 3, line 1, by inserting after "COMMISSION": , along with its United States Trade Representative,

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate concur in the resolution, as amended?

SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION NO. 149, AS AMENDED

Senator JUBELIRER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 149.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Secretary of the Senate return said resolution to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HOUSE CONCURRENT RESOLUTION
NO. 156, CALLED UP

Senator JUBELIRER, without objection, called up from page 10 of the Calendar, House Concurrent Resolution No. 156, entitled:

General Assembly extends congratulations to Republic of Italy for success in carrying out rescue of General James L. Dozier.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION NO. 156

Senator JUBELIRER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 156.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

ANNOUNCEMENT BY MAJORITY WHIP

Senator STAUFFER. Mr. President, I would want to point out to the Members that in addition to Executive Nominations, we will have one additional important vote to consider on a resolution that will come up a little later. I thought it was important to mention that before everyone left the floor.

COMMUNICATIONS FROM THE GOVERNOR**RECALL COMMUNICATIONS****LAI D ON THE TABLE**

The PRESIDENT pro tempore laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and laid on the table:

**MEMBER OF THE STATE HORSE
RACING COMMISSION**

March 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1981 for the appointment of Hasbrouck S. Wright, 500 Cumberland Road, Lemoyne 17043, Cumberland County, Thirty-first Senatorial District, as a member of the State Horse Racing Commission, to serve until May 28, 1984, and until his successor shall have been appointed and qualified, vice William Gross, York, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

**MEMBER OF THE PENNSYLVANIA
LABOR RELATIONS BOARD**

March 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 11, 1982 for the appointment of Margaret H. George, 79 Buttonwood Lane, Doylestown 18901, Bucks County, Tenth Senatorial District, as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 1985, and until her successor shall have been appointed and qualified, vice Joseph J. Licastro, Johnstown, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

**MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION**

March 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1981 for the appointment of Frank A. Ursomarso, 771 Unionville Road, R. D. 1, Kennett Square 19348, Chester County, Nineteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, and until his successor shall have been appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

**COMMUNICATIONS FROM THE GOVERNOR
TAKEN FROM THE TABLE**

Senator STAUFFER called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

**MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL**

March 4, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 19, 1982 for the appointment of Samuel Scrimalli, 2146 North Washington Avenue, Scranton 18509, Lackawanna County, Twenty-second Senatorial District, as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Dominick L. Touch, Archbald, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

**MEMBER OF THE STATE HORSE
RACING COMMISSION**

March 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1981 for the appointment of Hasbrouck S. Wright, 500 Cumberland Road, Lemoyne 17043, Cumberland County, Thirty-first Senatorial District, as a member of the State Horse Racing Commission, to serve until May 28, 1984, and until his successor shall have been appointed and qualified, vice William Gross, York, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

**MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION**

March 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1981 for the appointment of Frank A. Ursomarso, 771 Unionville Road, R. D. 1, Kennett Square 19348, Chester County, Nineteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, and until his successor shall have been appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

MEMBER OF THE PERRY COUNTY
BOARD OF ASSISTANCE

March 18, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 6, 1982 for the reappointment of Thomas M. Evans (Republican), 221 North High Street, Duncannon 17020, Perry County, Thirty-third Senatorial District, as a member of the Perry County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

DICK THORNBURGH.

NOMINATIONS RETURNED TO THE GOVERNOR

Senator STAUFFER. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

The motion was agreed to.

The PRESIDENT pro tempore. The nominations will be returned to the Governor.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator STAUFFER,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

Senator STAUFFER. Mr. President, I call from the table for consideration certain nominations previously reported from committee and laid on the table.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES
OF DANVILLE STATE HOSPITAL

March 1, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norwood Fleck, 1600 Bloom Road, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Donald M. Thomas, Danville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF PARDONS

February 19, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas G. Frame (Penologist), R. D. 4, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Board of Pardons, to serve until November 30, 1987, and until his successor is appointed and qualified.

DICK THORNBURGH.

STATE BOARD OF PHARMACY

March 2, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice Mervis, 3236 Thirty-Seventh Street, Beaver Falls 15010, Beaver County, Forti-seventh Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years, or until his successor is appointed and qualified, vice Joseph Cantor, Philadelphia, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF EXAMINERS OF PUBLIC ACCOUNTANTS

March 1, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph R. Chase, Sr., 180 Drakes Lane, Old Forge 18518, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Examiners of Public Accountants, to serve for a term of four years, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE JEFFERSON COUNTY
BOARD OF ASSISTANCE

March 1, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Pat Barber (Democrat), 148 Perry Street, Punxsutawney 15767, Jefferson County, Forty-first Senatorial District, for appointment as a member of the Jefferson County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Charles T. Alessie, Punxsutawney, whose term expired.

DICK THORNBURGH.

MEMBER OF THE LUZERNE COUNTY
BOARD OF ASSISTANCE

January 29, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maria M. Capolarella (Democrat), 176 Johnson Street, Pittston 18640, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Luzerne County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE PERRY COUNTY
BOARD OF ASSISTANCE

February 24, 1982.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James H. Gold (Republican), Post Office Box 185, Ickesburg 17037, Perry County, Thirty-third Senatorial District, for appointment as a member of the Perry County Board of Assistance, to serve until December 31, 1983, to fill a new position.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator STAUFFER and were as follows, viz:

YEAS—48

Andrezski	Hess	Manbeck	Ross
Bell	Holl	Mellow	Scanlon
Bodack	Hopper	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampono
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer
Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the Governor accordingly.

EXECUTIVE SESSION RISES

Senator STAUFFER. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to.

UNFINISHED BUSINESS
REPORT FROM COMMITTEE

Senator O'CONNELL, from the Committee on State Government, reported, as committed, **HB 1991**.

SENATE RESOLUTION

**PUBLIC UTILITY CODE DOES NOT PERMIT
THE PUBLIC UTILITY COMMISSION TO
ESTABLISH GUIDELINES TO ALLOW
INCLUSION OF CONSTRUCTION WORK IN
PROGRESS IN DETERMINING APPROPRIATE
RATE BASE IN RATE PROCEEDINGS**

Senators STAUFFER, HESS, MOORE, JUBELIRER, PRICE, O'CONNELL, GREENLEAF, MESSINGER, MELLOW, HOLL, BODACK and MANBECK offered the

following resolution (Serial No. 83), which was read, considered and adopted:

In the Senate, March 24, 1982.

WHEREAS, It has been contended in various State courts and before the Public Utility Commission that the Public Utility Code permits an inclusion of any and all construction work in progress in the rate base of utilities regardless of whether it is presently used and useful in providing utility service; and

WHEREAS, The Senate of Pennsylvania has rejected legislation to allow construction work in progress to be considered in determining an appropriate rate base for a public utility in a rate proceeding by its recommitment of Senate Bill 1218 in 1976 and by its rejection of an amendment allowing construction work in progress to be considered in determining an appropriate rate base for a public utility in a rate proceeding on March 29, 1976; and

WHEREAS, The Senate of Pennsylvania has taken no further action since that time to authorize the inclusion of construction work in progress in the determination of appropriate rate bases for public utilities in rate proceedings; and

WHEREAS, This potential misapplication of the law by the inclusion of construction work in progress in rate bases would have a negative impact on the citizens of the Commonwealth of Pennsylvania, utility customers and, in particular, senior citizens; therefore be it

RESOLVED, That it is the sense of the Senate of Pennsylvania that the Public Utility Code does not permit the Public Utility Commission by rule or otherwise to establish guidelines allowing construction work in progress to be considered in determining an appropriate rate base in a rate proceeding; and be it further

RESOLVED, That a copy of this resolution be delivered to each member of the Public Utility Commission and to the Consumer Advocate.

BILL ON FIRST CONSIDERATION

Senator MANBECK. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

HB 1991.

And said bill having been considered for the first time,

Ordered, To be printed on the Calendar for second consideration.

GENERAL COMMUNICATIONS

DISCHARGE PETITIONS

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, March 24, 1982.

We, the Senators whose signatures are affixed hereto respectfully request that the Honorable William W. Scranton, III, as presiding officer of the Senate of the Commonwealth of Pennsylvania, place the nomination hereafter set forth before the Senate for a vote pursuant to the provisions of Article IV, Section 8(b) of the Constitution of the Commonwealth of Pennsylvania which provides in part "... The Senate shall act on each executive nomination within 25 legislative days of its submission. If the Senate has not voted upon a nomination within 15 legislative days following such submission, any five members of the Senate may, in

writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first....”

We respectfully set forth the following facts relative to the nomination hereinafter set forth:

1. The nomination was presented to the Senate on January 20, 1982; and

2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Anne Jackson	Member State College and University Directors
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Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, March 24, 1982.

We, the Senators whose signatures are affixed hereto respectfully request that the Honorable William W. Scranton, III, as presiding officer of the Senate of the Commonwealth of Pennsylvania, place the nomination hereafter set forth before the Senate for a vote pursuant to the provisions of Article IV, Section 8(b) of the Constitution of the Commonwealth of Pennsylvania which provides in part “.... The Senate shall act on each executive nomination within 25 legislative days of its submission. If the Senate has not voted upon a nomination within 15 legislative days following such submission, any five members of the Senate may, in writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first....”

We respectfully set forth the following facts relative to the nomination hereinafter set forth:

1. The nomination was presented to the Senate on January 20, 1982; and

2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Alex Grass	Member Council on the Arts
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Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, March 24, 1982.

We, the Senators whose signatures are affixed hereto respectfully request that the Honorable William W. Scranton, III, as presiding officer of the Senate of the Commonwealth of Pennsylvania, place the nomination hereafter set forth before the Senate for a vote pursuant to the provisions of Article IV, Section 8(b) of the Constitution of the Commonwealth of Pennsylvania which provides in part “.... The Senate shall act on each executive nom-

ination within 25 legislative days of its submission. If the Senate has not voted upon a nomination within 15 legislative days following such submission, any five members of the Senate may, in writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first....”

We respectfully set forth the following facts relative to the nomination hereinafter set forth:

1. The nomination was presented to the Senate on January 20, 1982; and

2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Pamela Z. Bryan	Member Council on the Arts
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Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

The PRESIDENT pro tempore. The communications will be laid on the table.

CONGRATULATORY RESOLUTIONS

The PRESIDENT pro tempore laid before the Senate the following resolutions, which were read, considered and adopted:

Congratulations of the Senate were extended to Rose Levonian by Senator Gekas.

Congratulations of the Senate were extended to Robert L. Williams by Senator Helfrick.

Congratulations of the Senate were extended to Mrs. Esther M. Stuber by Senator Manbeck.

Congratulations of the Senate were extended to Harry Gerstner, Thomas Enterline and to Jack Patterson by Senator Pecora.

Congratulations of the Senate were extended to Mr. and Mrs. Buck Delpra and to Finis Palmer by Senator Stapleton.

Congratulations of the Senate were extended to Joe Montana by Senator Stout.

HB 536 AND SB 491 TAKEN FROM THE TABLE

HB 536 (Pr. No. 2826) and SB 491 (Pr. No. 498) — Senator JUBELIRER. Mr. President, I move that House Bill No. 536, Printer's No. 2826, and Senate Bill No. 491, Printer's No. 498, be taken from the table and placed on the Calendar.

The motion was agreed to.

The PRESIDENT pro tempore. The bills will be removed from the table and placed on the Calendar.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT pro tempore. The Chair announces that for purposes of receiving communications possibly from the House of Representatives, it is the intention of the Chair to

remain open for some period of time this day before closing until the next day's Session. I am under the impression there will be no definitive action taken today in the Senate.

GENERAL COMMUNICATIONS

BILLS INTRODUCED AND REFERRED

The PRESIDENT pro tempore laid before the Senate the following Senate Bills numbered, entitled and referred as follows, which were read by the Clerk:

March 24, 1982

Senators GEKAS, ZEMPRELLI, KELLEY, LEWIS, SNYDER, O'PAKE and FISHER presented to the Chair **SB 1361**, entitled:

An Act relating to associations, including corporations, partnerships and unincorporated associations, revising and expanding Title 15 (Corporations and Unincorporated Associations), reconfirming and expanding the abolition of the doctrine of de facto mergers and other fundamental transactions, and making conforming, redesignation and editorial changes to Titles 20, 22, 40 and 54 of the Pennsylvania Consolidated Statutes, separately enacting certain related provisions of law and repealing certain acts and parts of acts supplied by the act or otherwise obsolete.

Which was committed to the Committee on JUDICIARY, March 24, 1982.

Senators LYNCH, FUMO, STAMPONE, MCKINNEY, HANKINS and LLOYD presented to the Chair **SB 1362**, entitled:

An Act making an appropriation to Episcopal Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, March 24, 1982.

Senators RHOADES and MANBECK presented to the Chair **SB 1363**, entitled:

An Act amending the act of March 3, 1978 (P. L. 6, No. 3), entitled "Steel Products Procurement Act," further defining steel products to include cast iron products.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, March 24, 1982.

Senators HESS, O'CONNELL, RHOADES, HOPPER and PECORA presented to the Chair **SB 1364**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for rate adjustments for extraordinary outages of electric utility facilities.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 24, 1982.

Senators LEWIS, SINGEL, O'PAKE, ROMANELLI, LLOYD and MELLOW presented to the Chair **SB 1365**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Public Utility Commission.

Which was committed to the Committee on APPROPRIATIONS, March 24, 1982.

BILLS SIGNED

The PRESIDENT pro tempore (Henry G. Hager) in the presence of the Senate signed the following bills:

SB 179 and **HB 1921**.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, MARCH 25, 1982

9:00 A.M.	TRANSPORTATION (Public Hearing on House Bill No. 1394)	Auditorium, Learning and Research Center, California State College, California, PA
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MONDAY, March 29, 1982

11:00 A.M.	LABOR AND INDUSTRY (to consider Senate Bills No. 320, 388, 515, 1125, 1126 and 1340)	Room 460, 4th Floor Conference Rm., North Wing
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TUESDAY, MARCH 30, 1982

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1210; Senate Resolution No. 226; House Bills No. 154, 936, 1079 and 1943)	Room 459, 4th Floor Conference Rm., North Wing
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11:00 A.M.	JUDICIARY (to consider Senate Bills No. 120, 233, 581, 1162, 1186, 1206, 1221; House Bill No. 1789 and to consider the nomination of Richard E. Brandow, Esq., to the Court of Common Pleas, McKean County)	Room 461, 4th Floor Conference Rm., North Wing
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WEDNESDAY, MARCH 31, 1982

10:30 A.M.	PUBLIC EMPLOYEE to RETIREMENT STUDY	Room 460, 4th Floor
2:00 P.M.	COMMISSION	Conference Rm., North Wing

MONDAY, APRIL 5, 1982

9:30 A.M.	Committee to Investigate to the Office of Mental Retardation (Public Hearing on Senate Resolution No. 63)	Community Rm., Bucks County Court House, Doylestown, PA
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TUESDAY, APRIL 6, 1982

9:30 A.M. Committee to Investigate Hamburg Center,
to the Office of Mental Hamburg, PA
5:00 P.M. Retardation (Public
Hearing on Senate
Resolution No. 63)

WEDNESDAY, APRIL 7, 1982

9:30 A.M. Committee to Investigate Senate Majority
to the Office of Mental Caucus Room
5:00 P.M. Retardation (Public
Hearing on Senate
Resolution No. 63)

MONDAY, APRIL 26, 1982

9:30 A.M. SENATE JUDICIARY Room 156,
AND HOUSE JUDICIARY House Majority
(Public Hearing for Caucus Room
the purpose of receiving
the 1982 Annual Report
of the Pennsylvania
Crime Commission)

RECESS

Senator JUBELIRER. Mr. President, I request a recess of the Senate until the call of the Chair, with the understanding to all Members who are now in their offices, there will be no votes taken before Monday, March 29, 1982, at 2:00 p.m., Eastern Standard Time.

The PRESIDENT pro tempore. The Senate stands in recess until the call of the Chair.

AFTER RECESS

The PRESIDING OFFICER (William J. Moore) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

ADJOURNMENT

Senator SNYDER. Mr. President, I move that the Senate do now adjourn until Monday, March 29, 1982, at 2:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 4:36 p.m., Eastern Standard Time.