

Legislative Journal

TUESDAY, JULY 19, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 61

SENATE

TUESDAY, July 19, 1983.

The Senate met at 11:30 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, the Reverend Mr. TED A. HUMMEL, Pastor of St. Matthew Evangelical Lutheran Church, York, offered the following prayer:

Let us pray.

O God, Creator of all things, everything we have belongs to You. Without You we are and have nothing.

Make us all keenly aware, whether it be here in this Senate Chamber or among the people of this great Commonwealth or with our family and close friends, that we are to be good stewards of all of our gifts.

Open our eyes to see the beauty of our world and not just the mess we have made of it.

Unstop our ears to hear the joys and the sorrows of others and not just the clamoring crowd of a self-seeking group.

Extend our hands to embrace all of our brothers and sisters so that we might share our gifts unselfishly.

Strengthen our minds to think of all Your people and to make decisions that are as just and as fair as possible for everyone.

And, Lord, touch our lips so the words we speak this day will strengthen and unify the people of this State and quiet the voices of discord and discontent.

Lord, we really do need Your help and Your support to strengthen us to do Your will, to walk with us so that we see and hear the needs of others.

We join our hands to work and struggle together. We open our minds and our hearts to Your spirit and we speak always with love and encouragement to others. We pray these things in Your holy name. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of July 18, 1983.

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.

LEGISLATIVE LEAVES

Senator JUBELIRER. Mr. President, I request temporary legislative leaves of absence for Senator Hopper and Senator Shaffer who are on legislative business at this time and will be back for the later Session.

Senator SCANLON. Mr. President, I request temporary legislative leaves of absence for Senator O'Pake and Senator Zemprelli.

The PRESIDING OFFICER. The Chair hears no objection and the leaves are granted.

REPORTS FROM COMMITTEE

Senator HOWARD, from the Committee on Finance, reported the following bills:

SB 639 (Pr. No. 1154) (Amended)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, changing a definition; and further providing for creditable nonstate service.

SB 808 (Pr. No. 937)

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for the definition of "early retirement"; further providing for eligibility for retirement allowances; and further providing for survivorship option benefits.

GUEST OF SENATOR HARDY WILLIAMS PRESENTED TO SENATE

Senator WILLIAMS. Mr. President, we have with us today an outstanding young Texan. Her name is Stacey Hendler and she is my niece. She came here to observe us in action in Harrisburg so she can take it back to Texas. I would like the Senate to give her our usual warm welcome and let her know that Texas is no bigger than Pennsylvania.

The PRESIDING OFFICER. If Senator Williams' guest from Texas, who is seated in the gallery, will please rise, the Senate will give her its usual warm welcome.

(Applause.)

GENERAL COMMUNICATION

DISCHARGE PETITION

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, July 19, 1983.

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 April 18, 1983; 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:

David G. Knorr	Member Pennsylvania Board of Probation and Parole
	Edward P. Zemprelli
	Eugene F. Scanlon
	Robert J. Mellow
	Francis J. Lynch
	James E. Ross

The PRESIDING OFFICER. The communication will be laid on the table.

CALENDAR

SPECIAL ORDER OF BUSINESS

HB 86 CALLED UP OUT OF ORDER

HB 86 (Pr. No. 1030) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator JUBELIRER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 86 (Pr. No. 1030) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in the Borough of Emsworth, Allegheny County, Pennsylvania.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

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

YEAS—48

Andrezeski	Hess	Mellow	Shumaker
Bell	Holl	Moore	Singel
Bodack	Hopper	Musto	Snyder
Brightbill	Howard	O'Connell	Stapleton
Corman	Jubelirer	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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.

GUESTS OF SENATOR M. JOSEPH ROCKS
PRESENTED TO SENATE

Senator ROCKS. Mr. President, I would like to introduce to the Senate today two friends visiting from the City of Philadelphia, a former distinguished Member of the Pennsylvania House of Representatives, Jerry McKelvey, and with him is Mr. Joe Biden, Sr., the father of the great United States Senator from the State of Delaware. I am happy to present them to you and to the Senate.

The **PRESIDENT pro tempore.** Would Mr. McKelvey and Mr. Biden please rise so we can extend to you a very warm welcome?

(Applause.)

LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, I request a legislative leave of absence for Senator Romanelli who is attending to legislative business in Washington, D.C.

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

RECESS

Senator JUBELIRER. Mr. President, at this time I request a recess of the Senate, first for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held immediately in the Rules Committee room. I ask all Members of the committee to report accordingly. I also ask the Republican Members of the Senate to report to the first floor caucus

room for a Republican caucus promptly at 1:00 p.m. It is our expectation to be back at 2:30 p.m.

Senator ZEMPRELLI. Mr. President, may we be at ease for a moment?

The PRESIDENT pro tempore. The Senate will be at ease.
(The Senate was at ease.)

The PRESIDENT pro tempore. While we are at ease, for the Members of the Committee on Rules and Executive Nominations, there will be a meeting in the Rules Committee room at the rear of the Senate Chamber immediately upon recess. The Members of the Republican caucus are requested to report to their caucus room precisely at 1:00 p.m., with the expectation of returning to the floor at about 2:00 or 2:30 p.m.

Senator ZEMPRELLI. Mr. President, I ask the Members of the Democratic caucus to remain alert as to any announcements of a call for caucus. We will request a caucus call. There is no designated time until we determine whether there is a need for caucus hereafter.

Senator WENGER. Mr. President, I would like to remind the Members of the Committee on Labor and Industry of the meeting we will be having in Room 460, immediately, at the call of the recess.

The PRESIDENT pro tempore. There will also be a meeting of the Committee on Labor and Industry in Room 460 upon recess. For the purposes already stated and for the purpose of a Democratic caucus which will be called, the Senate is now in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVES CANCELLED

Senator JUBELIRER. Mr. President, I note the presence in the building of Senator Hopper and Senator Shaffer and I ask that their legislative leaves of absence be cancelled.

The PRESIDENT. The record will so indicate.

CONSIDERATION OF CALENDAR RESUMED

SPECIAL ORDER OF BUSINESS

SB 308 CALLED UP OUT OF ORDER

SB 308 (Pr. No. 1115) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator JUBELIRER, as a Special Order of Business.

BILL REFERRED TO COMMITTEE

SB 308 (Pr. No. 1115) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for equal rights between men and women; allowing a negotiable item for State employees; and making editorial changes.

Senator JUBELIRER. Mr. President, I move that Senate Bill No. 308 be referred to the Committee on Appropriations.

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

Senator LEWIS. Mr. President, I am fully aware that legislative procedure in Mason's Manual provides for the rereferral of the report of the Committee of Conference to a standing committee of one of the Bodies. However, I have no recollection in the nearly nine years that I have been a Member of this Chamber of that procedure having been used.

The purpose of a report of the Committee of Conference is to put the issue before the Body and that has historically been used to attempt to call to the attention of the Members and provide them the opportunity to vote upon issues which committees have specifically attempted to keep away from the main group. Never in the nine years I have been here am I aware of any attempt to refer a report of the Committee of Conference to a standing committee.

POINT OF ORDER

Senator JUBELIRER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Blair, Senator Jubelirer, will state it.

Senator JUBELIRER. Mr. President, the gentleman keeps referring to the bill as a report of the Committee of Conference. It is not a report of the Committee of Conference. I just want to clarify that for the information of the Body and the record.

Senator LEWIS. I thank the gentleman, Mr. President. The bill is, of course, on concurrence in House amendments and notwithstanding that mix-up in terminology on my part, the points I have made are the ones that I intended and, I believe, are still accurate and applicable.

The purpose here, now, is to provide an opportunity for this Body to vote upon this bill with the amendments made by the House. I am not aware of similar bills having been referred to committee in the past. I think it would be inappropriate to do so. It is a significant issue that demands our attention and upon which we should be prepared to stand and vote. To attempt to send it back to committee is, in the minds of many of us, simply an attempt to kill or bury this and, I think, we ought to be prepared to stand up and to deal with the issue on its merits. I ask for a negative vote on the motion to refer this bill to the Committee on Appropriations.

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

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

YEAS—25

Brightbill	Holl	Loeper	Snyder
Corman	Hopper	Moore	Stauffer
Fisher	Howard	O'Connell	Street
Greenleaf	Jubelirer	Pecora	Tilghman
Hager	Kratzer	Shaffer	Wenger
Helfrick	Kusse	Shumaker	Wilt
Hess			

NAYS—25

Andrezeski	Lewis	O'Pake	Scanlon
Bell	Lincoln	Reibman	Singel
Bodack	Lloyd	Rhoades	Stapleton
Early	Lynch	Rocks	Stout
Fumo	Mellow	Romanelli	Williams
Hankins	Musto	Ross	Zemprelli
Kelley			

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

YEAS—26

Brightbill	Holl	Loeper	Snyder
Corman	Hopper	Moore	Stauffer
Fisher	Howard	O'Connell	Street
Greenleaf	Jubelirer	Pecora	Tilghman
Hager	Kratzer	Shaffer	Wenger
Helfrick	Kusse	Shumaker	Wilt
Hess			The President

NAYS—25

Andrezeski	Lewis	O'Pake	Scanlon
Bell	Lincoln	Reibman	Singel
Bodack	Lloyd	Rhoades	Stapleton
Early	Lynch	Rocks	Stout
Fumo	Mellow	Romanelli	Williams
Hankins	Musto	Ross	Zemprelli
Kelley			

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

The PRESIDENT. Senate Bill No. 308 is referred to the Committee on Appropriations.

BILL WHICH HOUSE HAS INSISTED ON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SB 270

SB 270 (Pr. No. 915) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for the filling of vacancies in certain circumstances.

Senator JUBELIRER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to Senate Bill No. 308, and that a Committee of Conference on the part of the Senate be appointed.

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

Senator ZEMPRELLI. Mr. President, I have two items. First of all, I would like to remind the Members of the caucus that the caucus had indicated it was for this bill and, therefore, would resist any motion to concur. Having made that statement, I ask the Chair to restate the method or manner in which the motion was made. Was it a motion to concur?

The PRESIDENT. The motion has been made to insist on the Senate's nonconcurrence in the amendments placed by the House.

Senator ZEMPRELLI. Mr. President, that would mean then if the Members of the Democratic caucus were insisting upon this bill, they would be voting "no" on this motion.

The PRESIDENT. That is correct, Senator.

LEGISLATIVE LEAVES

Senator ZEMPRELLI. Mr. President, I request a legislative leave of absence for Senator Kelley who had to leave the floor of the Senate to attend a meeting in his office.

Senator JUBELIRER. Mr. President, I request a legislative leave of absence for Senator Fisher to attend a meeting in his office.

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

And the question recurring,
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—27

Bell	Hess	Loeper	Snyder
Brightbill	Holl	Moore	Stauffer
Corman	Hopper	O'Connell	Street
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse	Shumaker	

NAYS—23

Andrezeski	Lewis	O'Pake	Singel
Bodack	Lincoln	Reibman	Stapleton
Early	Lloyd	Rocks	Stout
Fumo	Lynch	Romanelli	Williams
Hankins	Mellow	Ross	Zemprelli
Kelley	Musto	Scanlon	

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.

BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 379

HB 379 (Pr. No. 1411) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensing and regulating of public adjusters and public adjuster solicitors.

Senator JUBELIRER. Mr. President. I move that the Senate do insist upon its amendments to House Bill No. 379, and that a Committee of Conference on the part of the Senate be appointed.

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

Senator ZEMPRELLI. Mr. President, I remind the Members of the Democratic caucus that, in the sequence of events and after discussion in caucus, we had also agreed to support the Majority's motion to nonconcur.

And the question recurring,
Will the Senate agree to the motion?
The motion was agreed to.

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

PREFERRED APPROPRIATION BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 827 (Pr. No. 1138) — The Senate proceeded to consideration of the bill, entitled:

An Act to further provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 827.

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

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

Senator ZEMPRELLI. Mr. President, I would like to change the vote of the gentleman from Allegheny, Senator Romanelli, from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

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—38

Andrezeski	Hess	Mellow	Shumaker
Bodack	Holl	Moore	Singel
Brightbill	Hopper	O'Connell	Snyder
Corman	Howard	Pecora	Stauffer
Fisher	Jubelirer	Reibman	Street
Fumo	Kelley	Rocks	Wenger

Greenleaf	Lewis	Romanelli	Williams
Hager	Lincoln	Ross	Wilt
Hankins	Lloyd	Scanlon	Zemprelli
Helfrick	Loeper		

NAYS—12

Bell	Kusse	O'Pake	Stapleton
Early	Lynch	Rhoades	Stout
Kratzer	Musto	Shaffer	Tilghman

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.

SENATE AMENDS HOUSE AMENDMENTS

SB 876 (Pr. No. 1110) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Public Utility Commission.

MOTION TO SUSPEND RULES

Senator TILGHMAN. Mr. President, I move to suspend the Rules so that I can offer an amendment.

The PRESIDENT. Senator Tilghman moves that the Senate do now suspend Senate Rule No. XV for the purpose of offering an amendment to House amendments to Senate Bill No. 876.

On the question,
Will the Senate agree to the motion?
The motion was agreed to.

Senator TILGHMAN, by unanimous consent, offered the following amendment:

Amend Bill, page 1, lines 15 through 18; pages 2 through 4, lines 1 through 30; page 5, lines 1 and 2, by striking out all of said lines on said pages and inserting:

Section 1. The sum of \$21,543,000, or as much thereof as may be necessary, is hereby appropriated from the restricted revenue account within the General Fund to the Public Utility Commission for the fiscal year July 1, 1983 to June 30, 1984, to provide for the operation of the commission.

On the question,
Will the Senate agree to the amendment?
It was agreed to.

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

BILL OVER IN ORDER TEMPORARILY

SB 877 — Without objection, the bill was passed over in its order temporarily at the request of Senator JUBELIRER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 385 (Pr. No. 1139) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 24 (Education) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding provisions relating to school subsidies; providing that employers make pickup contributions to the Public School Employees' Retirement System on behalf of school employees; further providing for contribution rates; further providing for the basic contribution rate for members of the State Employees' Retirement System; and suspending temporarily a portion of an act.

Senator JUBELIRER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 385, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

BILL OVER IN ORDER

SB 666 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 850 (Pr. No. 1120) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Department of Education for the Thaddeus Stevens State School of Technology.

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—50

Andrezeski	Holl	Moore	Shumaker
Bell	Hopper	Musto	Singel
Bodack	Howard	O'Connell	Snyder
Brightbill	Jubelirer	O'Pake	Stapleton
Corman	Kelley	Pecora	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Kusse	Rhoades	Street
Fumo	Lewis	Rocks	Tilghman
Greenleaf	Lincoln	Romanelli	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	Zemprelli
Hess	Mellow		

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.

NONPREFERRED APPROPRIATION BILLS OVER IN ORDER

HB 1023, 1024, 1025 and 1026 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

NONPREFERRED APPROPRIATION BILL OVER IN ORDER TEMPORARILY

HB 1027 — Without objection, the bill was passed over in its order temporarily at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

SB 108 (Pr. No. 111) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," requiring audits of the Pennsylvania Turnpike Commission by the Department of the Auditor General.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator JUBELIRER, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 27, by removing the period after "General" and inserting: ; and providing for the audit costs.

Amend Bill, page 3, by inserting between lines 10 and 11:

Section 2. Section 408 of the act, amended May 26, 1959 (P.L.321, No.61), is amended to read:

Section 408. Allocation of Costs of Audits.—(a) In order to reimburse the Department of the Auditor General for the costs incurred in auditing requisitions by departments, boards, or commissions for disbursements out of the General Fund, special operating funds or any other fund in State Treasury, and in auditing, annually, periodically or specially, the affairs of any department, board, or commission which are supported out of the General Fund, a special operating fund or any other fund in the State Treasury, such departments, boards, or commissions, shall be billed at least quarterly by the Department of the Auditor General, upon a cost basis, at such amount as the Department of the Auditor General, with the approval of the Executive Board, shall determine. Amounts payable hereunder for reimbursing the Department of the Auditor General, for the cost of audits shall be credited to the appropriation of the Department of the Auditor General and shall, in respective parts, be paid out of the General Fund, such special operating funds or other funds into the State Treasury through the Department of Revenue, and are hereby appropriated to the Department of the Auditor General for that purpose.

(b) In order to reimburse the Department of the Auditor General for the costs incurred in auditing, annually, periodically or specially, the affairs of the Pennsylvania Turnpike Commission, said commission shall be billed at least quarterly by the Department of the Auditor General, upon a cost basis, at such amount as the Department of the Auditor General, with the approval of the Executive Board, shall determine. Amounts payable hereunder for reimbursing the Department of the Auditor General, for the cost of audits shall be credited to the appropriation of the Department of the Auditor General and shall be paid by the Pennsylvania Turnpike Commission into the State Treasury through the Department of Revenue, and are hereby appropriated to the Department of the Auditor General for that purpose.

(c) The procedures [herein] set forth in subsections (a) and (b) shall not apply to those instances where appropriations are made directly to the Auditor General for the costs incurred by him in making audits.

(d) The reimbursements and procedures [herein] in subsections (a) and (b) shall not apply to the Fire Insurance Tax Fund.

Amend Sec. 2, page 3, line 11, by striking out "2" and inserting: 3

On the question,
Will the Senate agree to the amendment?
It was agreed to.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 161 (Pr. No. 1152) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for multiple convictions of inchoate crimes; further providing for aggravated assault; and providing for assault by persons in custody.

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—50

Andrezeski	Holl	Moore	Shumaker
Bell	Hopper	Musto	Singel
Bodack	Howard	O'Connell	Snyder
Brightbill	Jubelirer	O'Pake	Stapleton
Corman	Kelley	Pecora	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Kusse	Rhoades	Street
Fumo	Lewis	Rocks	Tilghman
Greenleaf	Lincoln	Romanelli	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	Zemprelli
Hess	Mellow		

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

HB 224 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

SB 247 (Pr. No. 1117) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for a hazardous substance emergency response plan; and making an appropriation.

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

Senator HOLL, by unanimous consent, offered the following amendment:

Amend Sec. 3, page 2, lines 28 and 29, by striking out "for the fiscal year July 1, 1983 to June 30, 1984"

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

Senator ZEMPRELLI. Mr. President, I believe the Senate is now dealing with an amendment we have not had the privilege to review. I ask we be in recess until we at least have the opportunity to determine what the amendment does.

Senator HOLL. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.
(The Senate was at ease.)

Senator ZEMPRELLI. Mr. President, we have reviewed the amendment and we have no objection to it.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 428 (Pr. No. 468) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Bureau of Correction and the Governor, to grant an easement to Jerry Ross and Paula Ross, his wife, over certain lands in Benner Township, Centre County, Pennsylvania.

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—50

Andrezeski	Holl	Moore	Shumaker
Bell	Hopper	Musto	Singel
Bodack	Howard	O'Connell	Snyder
Brightbill	Jubelirer	O'Pake	Stapleton
Corman	Kelley	Pecora	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Kusse	Rhoades	Street
Fumo	Lewis	Rocks	Tilghman
Greenleaf	Lincoln	Romanelli	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	Zemprelli
Hess	Mellow		

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.

HB 1027 CALLED UP

HB 1027 (Pr. No. 1547) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar, by Senator JUBELIRER.

NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AMENDED

HB 1027 (Pr. No. 1547) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator WILLIAMS, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 2, line 8, by striking out "\$7,880,000" and inserting: \$7,930,000

On the question,

Will the Senate agree to the amendment?

Senator WILLIAMS. Mr. President, this amendment concerns an appropriation to the University of Pennsylvania on the subject of robotics and the effects thereof in replacing workers.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

SB 443 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 603 (Pr. No. 1119) — The Senate proceeded to consideration of the bill, entitled:

An Act relating to the control of vegetation within the right-of-way of highways; providing for applications, inspections and permits; and fixing penalties.

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—49

Andrezski	Hopper	Moore	Shumaker
Bell	Howard	Musto	Singel
Bodack	Jubelirer	O'Connell	Snyder
Brightbill	Kelley	O'Pake	Stapleton
Corman	Kratzer	Pecora	Stauffer

Early	Kusse	Reibman	Stout
Fisher	Lewis	Rhoades	Street
Fumo	Lincoln	Rocks	Tilghman
Greenleaf	Lloyd	Romanelli	Wenger
Hager	Loeper	Ross	Williams
Hankins	Lynch	Scanlon	Wilt
Helfrick	Mellow	Shaffer	Zemprelli
Holl			

NAYS—1

Hess

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

BILL ON THIRD CONSIDERATION AMENDED

HB 682 (Pr. No. 1640) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for gubernatorial appointments; further providing for boards of trustees of State institutions; increasing the membership on the State Board of Education; further providing for membership on the Council of Higher Education; excluding State colleges and universities from certain requirements relating to purchases of printing supplies; imposing additional limitations relating to publications; further providing for the powers and duties of the Department of Public Welfare; creating a State Board of Occupational Therapy Education and Licensure; and making a repeal.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

JUBELIRER AMENDMENT I

Senator JUBELIRER, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 23 by inserting after "education":and the State Veterans' Commission

Amend Bill, page 9, by inserting before line 1:

Section 5. Section 448(b) of the act, amended June 1, 1978 (P.L.449, No.55), is amended to read:

Section 448. Advisory Boards and Commissions.—The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

(b) The State Veterans' Commission shall consist of the Adjutant General, ex officio, [and fourteen members, all of whom shall have served in the armed forces of the United States while a state of war or armed conflict existed between the United States of America and another sovereign power, and shall be members in good and regular standing of a Pennsylvania branch, post, lodge, or club, of a recognized national veterans' organization active in this Commonwealth.

The Governor, upon recommendation of the Adjutant General, shall declare a vacancy to exist whenever any member shall fail to attend three consecutive meetings, and shall fill the vacancy for the unexpired term.

Three members of the fourteen shall be considered members-at-large and shall be approved by the Governor and appointed for terms of four years.

Eight members of the commission shall constitute a quorum.

The commission shall select from its number a chairman and a secretary.] or his designee, and the State commander, commandant or head, or his designee, of the following named veterans' organizations: the American Legion, AMVETS, Blinded Veterans Association, Catholic War Veterans of the United States of America, Disabled American Veterans, Jewish War Veterans of the United States, Marine Corps League, Military Order of the Purple Heart, State Association of County Directors of Veterans' Affairs, Veterans of Foreign Wars of the United States, Veterans of World War I of the U.S.A., Inc., and Italian-American War Veterans of the U.S., Inc. In addition, the Governor shall appoint four members-at-large to the commission from a list provided by the Adjutant General, each of whom shall be a veteran and a member in good and regular standing of a Pennsylvania branch, post, lodge or club of a recognized national veterans' organization active in this Commonwealth and at least one of whom shall be a female veteran and at least one of whom shall be a veteran of the Vietnam era. The members-at-large shall serve for terms of four years and until their successors shall have been appointed. The initial four members-at-large appointed by the Governor shall be as follows: one member for four years, one member for three years, one member for two years and one member for one year, as designated by the Governor.

The commission shall elect a chairman and a vice chairman annually at the first meeting of the commission after October 1. The Director of the Bureau for Veterans' Affairs shall serve as executive secretary to the commission.

The Governor, upon recommendation of the Adjutant General, shall declare a vacancy to exist whenever any member-at-large fails to attend three consecutive meetings without good cause and shall fill the vacancy for the unexpired term.

The commission shall meet upon call of the chairman or the Adjutant General. Nine members of the commission shall constitute a quorum.

Members of the commission shall receive no compensation for their services but shall receive reimbursement for their necessary and proper expenses for their attendance at meetings.

The commission shall advise the Adjutant General and the department on all matters pertaining to the status, welfare, benefits, employment and support of veterans and veterans' programs in this Commonwealth and shall perform such other functions as are provided by law.

Amend Sec. 5, page 9, line 1, by striking out "5" and inserting:

6
Amend Sec. 6, page 10, line 4, by striking out "6" and inserting: 7

Amend Sec. 7, page 10, line 22, by striking out "7" and inserting: 8

Amend Sec. 8, page 12, line 8, by striking out "8" and inserting: 9

Amend Sec. 9, page 12, line 18, by striking out "9" and inserting: 10

Amend Sec. 10, page 14, line 4, by striking out "10" and inserting: 11

Amend Sec. 11, page 14, line 17, by striking out "11" and inserting: 12

On the question,

Will the Senate agree to the amendment?

Senator LEWIS. Mr. President, I desire to interrogate the gentleman from Blair, Senator Jubelirer.

The PRESIDENT. Will the gentleman from Blair, Senator Jubelirer, permit himself to be interrogated?

Senator JUBELIRER. I will, Mr. President.

Senator LEWIS. Mr. President, we have not seen copies of these amendments and I ask if the gentleman would be kind enough to give us a brief explanation of what they do?

Senator JUBELIRER. Mr. President, this is an amendment the substance of which was a bill this Senate passed several months ago 49-0, which went over to the House. I subsequently learned I was the author of the budget bill over there. This amendment deals with the Veterans' Commission and mandates that various groups are on the Veterans' Commission. I do not think it would be very controversial, it was not when it first came up before the Senate.

Senator LEWIS. Mr. President, is the gentleman referring to Senate Bill No. 529?

Senator JUBELIRER. Mr. President, I think it was Senate Bill No. 527.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

JUBELIRER AMENDMENT II

Senator JUBELIRER, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 30, by striking out "CREATING A" and inserting: further providing for the powers and duties of the

On the question,

Will the Senate agree to the amendment?

Senator LEWIS. Mr. President, I desire to interrogate the gentleman from Blair, Senator Jubelirer.

The PRESIDENT. Will the gentleman from Blair, Senator Jubelirer, permit himself to be interrogated?

Senator JUBELIRER. I will, Mr. President.

Senator LEWIS. Mr. President, again, inasmuch as we have not seen the amendment, would the gentleman give us a brief explanation?

Senator JUBELIRER. Mr. President, this amendment constitutes the Veterans' Commission with the various groups as proposed by the veterans of this State. It is a departmental recommendation by the Adjutant General of this State. I do not have a copy of the amendment in front of me now. I gave it to the page. I am also advised there is a technical amendment to the title and a conforming set of fee changeovers, but there is no substantive effect to them.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

JUBELIRER AMENDMENT III

Senator JUBELIRER, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 31, by inserting after "LICENSURE;": transferring certain fees to the Historical and Museum Commission;

Amend Bill, page 12, by inserting between lines 7 and 8:

Section 8. Section 605-A of the act, added July 1, 1981 (P.L.143, No.48), is amended to read:

Section 605-A. Department of Community Affairs.—The Department of Community Affairs is authorized to charge fees for the following purposes and in the following amounts:

- (1) Land office fees:
(i) Certified copy of a warrant..... \$5.00
(ii) Certified copy of a survey..... 5.00
(iii) Certified copy of a patent..... 5.00
(iv) Certified copy of a connected draft 10.00
(v) Certified photocopy of any document or record not covered by the fees prescribed herein..... 5.00
(vi) Issue warrant..... 100.00
(vii) Issue patent..... 150.00
(viii) Record search..... 5.00
(ix) Filing of caveat..... 5.00

- (2) (1) Municipal indebtedness:
(i) Filing fee for each filing..... \$50.00
In addition the filing shall be accompanied by an additional fee of 1/32 mill on each dollar of the aggregate principal amount of the debt relating to such filing.

Section 9. The act is amended by adding a section to read:

Section 617-A. Historical and Museum Commission.—The Historical and Museum Commission is authorized to charge fees for the following purposes and in the following amounts:

- (1) Land office fees:
(i) Certified copy of a warrant..... \$5.00
(ii) Certified copy of a survey..... 5.00
(iii) Certified copy of a patent..... 5.00
(iv) Certified copy of a connected draft 10.00
(v) Certified photocopy of any document or record not covered by the fees prescribed herein..... 5.00
(vi) Issue warrant..... 100.00
(vii) Issue patent..... 150.00
(viii) Record search..... 5.00
(ix) Filing of caveat..... 5.00

Amend Sec. 8, page 12, line 8, by striking out "8" and inserting: 10

Amend Sec. 9, page 12, line 18, by striking out "9" and inserting: 11

Amend Sec. 10, page 14, line 4, by striking out "10" and inserting: 12

Amend Sec. 11, page 14, line 17, by striking out "11" and inserting: 13

On the question,
Will the Senate agree to the amendment?
It was agreed to.

The PRESIDENT. Without objection, the bill, as amended, will go over in its order.

BILL OVER IN ORDER TEMPORARILY

SB 860 — Without objection, the bill was passed over in its order temporarily at the request of Senator KELLEY.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 861 (Pr. No. 1153) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 22, 1974 (P. L. 610, No. 207), entitled "Nursing Home Loan Agency Law," extending the provisions of the law to include personal care boarding homes; and adding the Secretary of Aging to the membership of the agency.

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—50

Table with 4 columns of names: Andrezeski, Bell, Bodack, Brightbill, Corman, Early, Fisher, Fumo, Greenleaf, Hager, Hankins, Helfrick, Hess, Holl, Hopper, Howard, Jubelirer, Kelley, Kratzer, Kusse, Lewis, Lincoln, Lloyd, Loeper, Lynch, Mellow, Moore, Musto, O'Connell, O'Pake, Pecora, Reibman, Rhoades, Rocks, Romanelli, Ross, Scanlon, Shaffer, Shumaker, Singel, Snyder, Stapleton, Stauffer, Stout, Street, Tilghman, Wenger, Williams, Wilt, 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 OVER IN ORDER

SB 902, 903 and 904 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 192 (Pr. No. 1637) — The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the

fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; providing for an appropriation for the fiscal year July 1, 1983 to June 30, 1984 from the State Lottery Fund for aging programs; and providing for certain appropriations of Federal funds.

Considered the second time and agreed to,

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

HB 1065 (Pr. No. 1222) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Department of General Services out of various funds for payment of rental charges to the General State Authority.

Considered the second time and agreed to,

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

HB 1066 (Pr. No. 1223) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Considered the second time and agreed to,

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

PREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION AMENDED

HB 1069 (Pr. No. 1638) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1, page 2, line 21, by striking out "\$7,266,000" and inserting: \$8,466,000

On the question,

Will the Senate agree to the amendment?

Senator BELL. Mr. President, I was asked by the Minority to give a brief explanation of this amendment. This is the professional licensure augmentation restricted revenue account which, in other words, is the license fees collected from eighteen different licensed professions. It does not deal with General Fund money and there are sufficient funds available in this restricted fund. We have to appropriate it and this raises the bill from \$7.266 to \$8.466 so there will be adequate legal and administrative support for the professional licensure accounts for these eighteen different agencies.

And the question recurring,

Will the Senate agree to the amendment?

It was 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.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 1028 (Pr. No. 1548) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Hahnemann Medical College and Hospital, Philadelphia, Pennsylvania.

Considered the second time and agreed to,

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

HB 1029 (Pr. No. 1549) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Thomas Jefferson University, Philadelphia, Pennsylvania.

Considered the second time and agreed to,

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

HB 1030 (Pr. No. 1550) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Considered the second time and agreed to,

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

HB 1031 (Pr. No. 1551) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia, Pennsylvania.

Considered the second time and agreed to,

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

HB 1032 (Pr. No. 1572) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia, Pennsylvania.

Considered the second time and agreed to,

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

HB 1033 (Pr. No. 1190) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Delaware Valley College of Science and Agriculture, Doylestown, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1034 (Pr. No. 1191) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Art, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1035 (Pr. No. 1192) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Textiles and Science.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1036 (Pr. No. 1193) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the Berean Training and Industrial School, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1037 (Pr. No. 1573) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1038 (Pr. No. 1195) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Johnson School of Technology, Scranton, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1039 (Pr. No. 1196) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1040 (Pr. No. 1197) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Performing Arts, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1041 (Pr. No. 1552) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1042 (Pr. No. 1553) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1043 (Pr. No. 1200) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Central Penn Oncology Group.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1044 (Pr. No. 1201) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1045 (Pr. No. 1202) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Wistar Institute, Philadelphia.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1046 (Pr. No. 1203) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1047 (Pr. No. 1204) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to St. Francis Hospital, Pittsburgh.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1048 (Pr. No. 1554) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to St. Christopher's Hospital, Philadelphia, Pennsylvania.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1049 (Pr. No. 1555) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lancaster Cleft Palate.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1050 (Pr. No. 1556) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1051 (Pr. No. 1208) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the Jefferson Medical College and Hospital, Philadelphia, for a comprehensive program relating to Tay-Sachs disease.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1052 (Pr. No. 1209) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Burn Foundation of Greater Delaware Valley.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1053 (Pr. No. 1210) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museums.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1054 (Pr. No. 1557) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Carnegie Museum of Natural History for maintenance and the purchase of apparatus, supplies and equipment.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1055 (Pr. No. 1558) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Franklin Institute Science Museum.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1056 (Pr. No. 1559) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1057 (Pr. No. 1560) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the Buhl Science Center.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

HB 1058 (Pr. No. 1215) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

NONPREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION AMENDED

HB 1059 (Pr. No. 1216) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Thomas Jefferson University for the Children's Heart Hospital, Philadelphia, Pennsylvania.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?
Senator HANKINS offered the following amendment and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 1, page 1, line 5, by striking out "\$940,000" and inserting: \$1,190,000

On the question,

Will the Senate agree to the amendment?

It was 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.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 1060 (Pr. No. 1217) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Home for Crippled Children, Pittsburgh, Pennsylvania.

Considered the second time and agreed to,

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

HB 1061 (Pr. No. 1218) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Arsenal Family and Children's Center.

Considered the second time and agreed to,

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

HB 1062 (Pr. No. 1219) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the Western Psychiatric Institute and Clinic.

Considered the second time and agreed to,

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

HB 1063 (Pr. No. 1220) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION

HB 10 (Pr. No. 1636) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "resident"; providing for the burden of proof of residency in proceedings regarding driving an unregistered vehicle; and further providing for investigations by police officers.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION AMENDED

HB 166 (Pr. No. 944) — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for the disturbing of traps; and providing penalties for harassment of wildlife.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 2 (Sec. 732), page 2, lines 26 through 30, by striking out " , or" in line 26, all of lines 27 through 29 and "also not apply" in line 30 and inserting: or

On the question,

Will the Senate agree to the amendment?

It was 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.

BILL OVER IN ORDER

SB 250 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

SB 403 (Pr. No. 714) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the education and training of deputy sheriffs; creating the Deputy Sheriffs' Education and Training Commission; providing for the powers and duties of the commission and the Attorney General; establishing the Deputy Sheriffs' Education and Training Fund; providing for a surcharge on sheriffs' fees; and providing penalties.

Considered the second time and agreed to,

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

SB 474 (Pr. No. 1105) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1974 (P. L. 34, No. 15), entitled, "Pennsylvania Municipal Retirement Law," further providing for the payment of expenses of the board; and providing for approval of budget.

Considered the second time and agreed to,

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

SB 517 (Pr. No. 567) — The Senate proceeded to consideration of the bill, entitled:

An Act to promote the general welfare and stimulate the economy of the Commonwealth by requiring that all public agencies, including the Commonwealth, its political subdivisions and all authorities, include in all contracts for construction, reconstruction, alteration, repair, improvement or maintenance of improvements of a permanent or temporary nature, a provision that only domestic materials produced in the United States shall be used; and imposing a penalty for violation of this act.

Considered the second time and agreed to,
 Ordered, To be printed on the Calendar for third consideration.

HB 820 (Pr. No. 1444) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the adoption of a capital project to be financed from current revenues of the Game Fund.

Considered the second time and agreed to,
 Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

SB 822 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

HB 989 (Pr. No. 1436) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Erie County Authority in return for the imposition of Project 70 restrictions on certain lands owned by the County of Erie and requiring certain easements.

Considered the second time and agreed to,
 Ordered, To be printed on the Calendar for third consideration.

SB 860 CALLED UP

SB 860 (Pr. No. 1006) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 7 of the Third Consideration Calendar, by Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 860 (Pr. No. 1006) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 26, 1982 (P. L. 755, No. 209), entitled "An act providing for the capital budget for the fiscal year 1982-1983," itemizing a public improvement project to be constructed or acquired by the Department of General Services, together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project to be constructed or acquired by the Department of General Services; stating the estimated useful life of the project; and making an appropriation.

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—50

Andrezeski	Holl	Moore	Shumaker
Bell	Hopper	Musto	Singel
Bodack	Howard	O'Connell	Snyder
Brightbill	Jubelirer	O'Pake	Stapleton
Corman	Kelley	Pecora	Stauffer
Early	Kratzer	Reibman	Stout

Fisher	Kusse	Rhoades	Street
Fumo	Lewis	Rocks	Tilghman
Greenleaf	Lincoln	Romanelli	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	Zemprelli
Hess	Mellow		

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.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE AMENDMENTS BY AMENDING SAID AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 22**, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

SUPPLEMENTAL CALENDAR NO. 1

BILL ON CONCURRENCE IN HOUSE AMENDMENTS TO SENATE AMENDMENTS SENATE CONCURS IN HOUSE AMENDMENTS TO SENATE AMENDMENTS

HB 22 (Pr. No. 1607) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the removal of the sales tax exclusion for cigarettes; providing for acceleration of the due date for remission of tax; further providing for a change in and withholding of the annual personal income tax due; further providing for an additional tentative report and prepayment of the Public Utility Realty Tax by every public utility liable to pay tax; and making an appropriation.

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

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 22.

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

(During the calling of the roll, the following occurred:) Senator SCANLON. Mr. President, I would like to change my vote from "no" to "aye."

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—29

Bell	Holl	Moore	Stauffer
Brightbill	Hopper	O'Connell	Street
Corman	Howard	Pecora	Tilghman
Fisher	Jubelirer	Rocks	Wenger
Greenleaf	Kusse	Scanlon	Williams
Hager	Lewis	Shumaker	Wilt
Hankins	Loeper	Snyder	Zemprelli
Hess			

NAYS—21

Andrezeski	Kratzer	Musto	Ross
Bodack	Lincoln	O'Pake	Shaffer
Early	Lloyd	Reibman	Singel
Fumo	Lynch	Rhoades	Stapleton
Helfrick	Mellow	Romanelli	Stout
Kelley			

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.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator LOEPER, by unanimous consent, from the Committee on Rules and Executive Nominations, reported the following nominations, made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE STATE HARNESS RACING COMMISSION

June 24, 1983.

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 Jesse L. Crabbs, 235 Meade Avenue, Hanover 17331, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

JUDGE, COURT OF COMMON PLEAS, ERIE COUNTY

June 24, 1983.

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 Roger M. Fischer, 332 East Sixth Street, Erie 16507, Erie County, Forty-ninth Senatorial District, for appointment as Judge of the Court of Common Pleas of the Sixth Judicial District, composed of the County of Erie, to serve until the first Monday of January, 1984, vice Lindley R. McClelland, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE GENERAL HOSPITAL

July 6, 1983.

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 Daniel L. Venn, 1600 Fern Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Shamokin State General Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Ann Coyne, Locust Gap, whose term expired.

DICK THORNBURGH.

DISTRICT JUSTICE

July 5, 1983.

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 Robert W. Breakiron, P. O. Box 356, Indian Head 15446, Fayette County, Thirty-second Senatorial District, for appointment as District Justice in and for the County of Fayette, Magisterial District 03-07, to serve until the first Monday of January, 1984, vice Grant Nicholson, deceased.

DICK THORNBURGH.

DISTRICT JUSTICE

June 22, 1983.

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 Michael M. Colyer, R. D. 2, Box 20-B, Mount Union 17066, Huntingdon County, Thirtieth Senatorial District, for appointment as District Justice in and for the County of Huntingdon, Magisterial District 3-03, to serve until the first Monday of January, 1986, vice Gretchen Krouse, mandatory retirement.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

Senator LOEPER. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator LOEPER, by unanimous consent, reported from the Committee on Rules and Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD
OF NURSE EXAMINERS

July 6, 1983.

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 June 24, 1983 for the appointment of Natalie Pavlovich, R.N., Ph.D., P. O. Box 96002, Pittsburgh 15226, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Nurse Examiners, to serve for a term of six years and until a successor is appointed and qualified but in no event longer than six months beyond that term, vice Jean A. Williams, R.N., Springfield, whose term expired.

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

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
SHAMOKIN STATE GENERAL HOSPITAL

July 6, 1983.

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 June 24, 1983 for the appointment of Daniel L. Venn, 1600 West Fern Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District as a member of the Board of Trustees of Shamokin State General Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Jacqueline M. Reed, Shamokin, whose term expired.

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

DICK THORNBURGH.

NOMINATIONS RETURNED TO THE GOVERNOR

Senator LOEPER. 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. The nominations will be returned to the Governor.

**SB 98 AND HB 189
TAKEN FROM THE TABLE**

Senator JUBELIRER. Mr. President, I move that Senate Bill No. 98, Printer's No. 101, and House Bill No. 189, Printer's No. 1865, be taken from the table.

The motion was agreed to.

The PRESIDENT. The bills will be placed on the Calendar.

CONSIDERATION OF CALENDAR RESUMED

SB 877 CALLED UP

SB 877 (Pr. No. 1137) — Without objection, the bill, which previously went over in its order temporarily, was called up,

from page 2 of the Calendar, under Preferred Appropriation Bill on Concurrence in House Amendments, by Senator JUBELIRER.

BILL REFERRED TO COMMITTEE

SB 877 (Pr. No. 1137) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Senator JUBELIRER. Mr. President, I move that Senate Bill No. 877 be referred to the Committee on Rules and Executive Nominations.

On the question,

Will the Senate agree to the motion?

Senator LLOYD. Mr. President, Senate Bill No. 877 is a vehicle for a piece of legislation that would ultimately involve the manner in which—

POINT OF INFORMATION

Senator JUBELIRER. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Blair, Senator Jubelirer, will state it.

Senator JUBELIRER. Mr. President, would the gentleman not be out of order in debate in stating what he thinks it might be a vehicle for? My motion is to refer the bill to the Committee on Rules and Executive Nominations. Would that be an appropriate debate?

The PRESIDENT. The debate on this motion is limited. However, the Chair is not prepared to rule the gentleman out of order at this time, although he would be willing to say editorially that if he continues in this direction for much longer, there may be a good chance that he would be out of order.

Senator LLOYD. Mr. President, I will limit my remarks to the motion to refer.

POINT OF INFORMATION

Senator HOLL. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Montgomery, Senator Holl, will state it.

Senator HOLL. Mr. President, will the Chair state the Rule to which the Chair just referred?

The PRESIDENT. The Rule is Senate Rule No. XIII, paragraph 5. It states, "The motion to commit or recommit to committee is debatable as to the propriety of the reference, but the main question is not open to debate."

Senator LLOYD. Mr. President, again, I will make an effort to make sure I stay within the bounds of what is parliamentary appropriate here.

Mr. President, I oppose the motion to refer Senate Bill No. 877 to the Committee on Appropriations because of what I believe to be the possibility that it would no longer be able to serve as a vehicle for the purpose for which I and others hoped it would be able to serve. Senate Bill No. 877—and again

sticking to the reason that I would oppose a motion to refer to the Committee on Appropriations—is a vehicle for tax reform on the way corporations are taxed in the City of Philadelphia and is supported by the Philadelphia Chamber of Commerce as well as the city administration in the City of Philadelphia.

The PRESIDENT. Will the gentleman yield?

Senator HOLL. Mr. President, would the Chair please read the Rule again so the gentleman understands? Maybe we do not understand on this side of the aisle.

The PRESIDENT. Is the gentleman raising a point of order? The Chair would support the gentleman's point. The question that must be debated is the appropriateness of the reference, not the main motion or the bill itself.

Senator LLOYD. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Hager.

The PRESIDENT. Will the gentleman from Lycoming, Senator Hager, permit himself to be interrogated?

The PRESIDENT pro tempore. I will, Mr. President.

Senator LLOYD. Mr. President, would the gentleman from Lycoming, Senator Hager, indicate what he would project as the course of action regarding Senate Bill No. 877 once it is referred to the Committee on Appropriations in terms of whether or not he would think it would be actively considered in that committee and ultimately end up back on the floor of the Senate?

The PRESIDENT pro tempore. Mr. President, that is a matter for the committee but, if I have my way, it will not be actively considered very soon in that committee.

Senator LLOYD. Mr. President, I thank the gentleman for his candor and, based on that, I would vigorously oppose the referral of Senate Bill No. 877 to the Committee on Rules and Executive Nominations and ask my colleagues to do the same.

Senator STREET. Mr. President, I rise and ask for an affirmative vote to refer Senate Bill No. 877 to the Committee on Rules and Executive Nominations.

To the gentleman from Philadelphia, Senator Lloyd, I say that there will be legislation considered to address this problem in the City of Philadelphia in the very near future, but I would not recommend we use this bill as a vehicle.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—27

Bell	Hess	Loeper	Snyder
Brightbill	Holl	Moore	Stauffer
Corman	Hopper	O'Connell	Street
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse	Shumaker	

NAYS—20

Andrezeski	Lewis	O'Pake	Scanlon
Bodack	Lincoln	Reibman	Singel
Early	Lloyd	Rocks	Stapleton
Hankins	Mellow	Romanelli	Stout
Kelley	Musto	Ross	Zemprelli

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

The PRESIDENT. Senate Bill No. 877 will be referred to the Committee on Rules and Executive Nominations.

SUPPLEMENTAL CALENDAR NO. 2

PREFERRED APPROPRIATION BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED BY THE SENATE

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED BY THE SENATE

SB 876 (Pr. No. 1159) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Public Utility Commission.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in House amendments as amended by the Senate to Senate Bill No. 876.

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—49

Andrezeski	Hopper	Moore	Shumaker
Bell	Howard	Musto	Singel
Bodack	Jubelirer	O'Connell	Snyder
Brightbill	Kelley	O'Pake	Stapleton
Corman	Kratzer	Pecora	Stauffer
Fisher	Kusse	Reibman	Stout
Fumo	Lewis	Rhoades	Street
Greenleaf	Lincoln	Rocks	Tilghman
Hager	Lloyd	Romanelli	Wenger
Hankins	Loeper	Ross	Williams
Helfrick	Lynch	Scanlon	Wilt
Hess	Mellow	Shaffer	Zemprelli
Holl			

NAYS—1

Early

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.

UNFINISHED BUSINESS REPORTS FROM COMMITTEE

Senator HOLL, from the Committee on Banking and Insurance, reported the following bills:

SB 454 (Pr. No. 1155) (Amended)

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), entitled, as amended, "Emergency and Law Enforcement Personnel Death Benefits Act," adding a definition.

SB 572 (Pr. No. 1156) (Amended)

An Act amending the act of June 28, 1895 (P. L. 408, No. 289), entitled, as amended, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs, within this Commonwealth," changing the method of distributing the tax.

SB 901 (Pr. No. 1157) (Amended)

An Act providing for the licensing of insurance premium finance companies and the regulation of insurance premium finance agreements; establishing rates of interest and service charges; regulating the cancellation of policies of insurance for nonpayment of an insurance premium finance loan; imposing certain powers and duties upon the Insurance Commissioner; and providing for penalties.

SB 942 (Pr. No. 1149)

An Act repealing the act of July 19, 1974 (P. L. 489, No. 176), entitled "Pennsylvania No-fault Motor Vehicle Insurance Act."

RESOLUTIONS REPORTED FROM COMMITTEE

Senator JUBELIRER, from the Committee on Rules and Executive Nominations, reported the following resolutions:

SR 46 (Pr. No. 1158) (Amended)

Memorializing the Governor to proclaim the month of October as "Pennsylvanians of German Descent" month.

HR 101 (Pr. No. 1329)

The General Assembly urges the Governor to proclaim the month of July as "Buy American Month."

The PRESIDENT. The resolutions will be placed on the Calendar.

**REPORT OF SENATE LABOR AND
INDUSTRY COMMITTEE ON SUNSET
EVALUATION OF THE STATE
ARCHITECTS LICENSURE BOARD**

Senator WENGER submitted the following communication, which was read by the Clerk as follows:

SENATE OF PENNSYLVANIA

July 19, 1983

Honorable Henry G. Hager
President Pro Tempore
Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, PA 17120

Dear President Pro Tempore:

As required by Section 5(d) of the Sunset Act (Act 142 of 1981), attached is the report of the Labor and Industry Committee on the Sunset Evaluation and Review of the Pennsylvania Architects Licensure Board, together with draft legislation implementing the Committee's recommendation that the Board be continued in existence.

Sincerely,

NOAH W. WENGER
State Senator

The PRESIDENT. The report will be filed in the Library.

BILLS IN PLACE

Senator WENGER presented to the Chair a bill.

Senator ANDREZESKI presented to the Chair a bill.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Anthony Gallo and to the Holy Ghost Ukrainian Catholic Church of Chester by Senator Bell.

Congratulations of the Senate were extended to Harry R. Burd by Senator Corman.

Congratulations of the Senate were extended to Darby Township by Senator Loeper.

Congratulations of the Senate were extended to the Reading High School Boys' Varsity Baseball Team by Senator O'Pake.

Congratulations of the Senate were extended to Brigadier General George A. Joulwan by Senator Rhoades.

Congratulations of the Senate were extended to Thomas Fiasco, Jr., Joseph Blake, Jr., Eugene Krisko, Janet Scipione, Joseph Kistic, Jeff Ellenberger, Roseann Barnish, Shawn Newcomer and to the Colver Community by Senator Singel.

BILLS ON FIRST CONSIDERATION

Senator JUBELIRER. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

SB 454, 572, 639, 808, 901 and 942.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

Senator LLOYD. Mr. President, today with the passage of the supplemental General Appropriations bill, a very significant thing occurred which will have a positive effect on some 800,000 elderly Pennsylvanians. For the first time in the history of our Commonwealth, both houses of the General Assembly in a bipartisan fashion have passed legislation that would provide prescription drug relief and other medical

assistance for Pennsylvania's elderly. There is a \$100 million authorization in the legislation we just passed to provide that badly needed help for the senior citizens of our Commonwealth.

Mr. President, there probably has been no issue of greater importance in recent years to the elderly of Pennsylvania than the very significant need and substantive need they have had for relief with regard to prescription drugs. For many of Pennsylvania's elderly, prescription drugs are as important a part of their expendable income as education, car insurance, food or housing are for people who are younger. One of the things that can tend to slip by those of us who are not in that very difficult situation is how fundamentally important prescription drug assistance is to someone who finds himself in that situation.

What we have done here today and what the House did last week is to have seen a situation in which government has recognized a clearly defined need of a large portion of our population and has risen to the occasion and met that need. The days and weeks ahead of us are going to be very important as we draft the legislation that will implement this program, but the first and most dramatic and significant step has been taken within the last week with regard to filling this very important need for our elderly.

Mr. President, one of the things that struck me over the past four or five years has been the unsolicited manner in which senior citizens would come up to me upon finding out that I was in State government and just ask for help in this very important area. In the human dimension, I do not think there has been an issue that we have dealt with that so directly affects people's lives. I believe at various times that we in the General Assembly collectively may have underestimated the importance of this to our senior citizens.

Again, I commend both the House and the Senate for the important bipartisan step that was taken last week in the House and this evening in the Senate to meet this need. I want to indicate I am willing and looking forward to working very hard with all four caucuses in the General Assembly toward crafting at this point and implementing legislation that will now best meet that need so we can take that \$100 million—and that is a tremendous shot of money and it is going to make a lot of lives in Pennsylvania easier and more enjoyable—and use it in a fashion that is going to have the greatest impact upon our elderly.

Mr. President, in closing, I just want to mention, since we are only on Petitions and Remonstrances, that in 1979 I met an old lady at Fifth and Olney Streets in Philadelphia, which was in my Senatorial district and which no longer is in my district as a result of reapportionment, who really and sincerely just asked that this kind of program be implemented. She simultaneously really seemed to doubt that something this good could happen for someone who, in her own eyes, seemed so small. I think that is the thing that strikes me more than anything else about the legislation that has been passed here this evening. Government does have the ability in all its bigness and with all its big problems to deal with the immediate needs of individual people. That is the victory today.

SENATE COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION NO. 54

The PRESIDENT. The Chair wishes to announce the appointment by the President pro tempore of the following Senators to serve as members of the special Senate committee created pursuant to Senate Resolution No. 54.

The gentleman from Lancaster, Senator Snyder, Chairman; the gentleman from Mercer, Senator Wilt; the gentleman from Dauphin, Senator Shumaker; the gentleman from Beaver, Senator Ross; and the gentleman from Philadelphia, Senator Rocks.

COMMITTEE OF CONFERENCE APPOINTED ON SB 385

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators STAUFFER, LOEPER and LEWIS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 385.

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

BILL SIGNED

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

SB 827.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JULY 20, 1983

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to approve reports of Sunset Evalu- ation and Review of: 1. State Board of Auctioneer Examiners. 2. State Board of Funeral Directors. 3. State Registration Board of Profes- sional Engineers)	Room 459, 4th Floor Conference Rm., North Wing
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FRIDAY, JULY 22, 1983

7:30 P.M.	LAW AND JUSTICE (Public Hearing on underage drinking and	Courtroom 1, Luzerne County Court House,
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liquor law enforcement) Wilkes-Barre

MONDAY, JULY 25, 1983

11:00 A.M. LAW AND JUSTICE Room 461,
(Public Hearing on the con- 4th Floor
tinuing investigation of Conference Rm.,
enforcement practices by North Wing
the Pa. Liquor Control Board -
testimony will be received from
Francis Healy and Reese Brown)

WEDNESDAY, JULY 27, 1983

10:00 A.M. CONSUMER PROTECTION Senate Majority
AND PROFESSIONAL Caucus Room
LICENSURE (Public Hearing
on the confirmation of James
L. Nelligan as a Commissioner
of the Public Utility Commission)

THURSDAY, JULY 28, 1983

3:00 P.M. Independent Regulatory Honors Suite,
Review Commission (to con- 333 Market St.
sider 42 - PUC 57-13 - Proof
of Compliance with Building
Energy Conservation Standards:
43 - State Board of Examiners of
Public Accountants 16A-92 -
Continuing Professional Education-
Credit Hr. Req.:
44 - Public Welfare Office of
Inc. Maint. 14-209 - SS Benefits -
Recd. by 18-22 yr. old students in
AFDC Assist. units:
45 - Health 10-41 - Recodification
and amendments to Regs. for Drug
and Alcohol Activities;
46 - PennDOT 18-162 - Prequalifi-
cation of Bidders:
47 - LCB 54-6 - Agent's Order books
and Stock Merchandise Request Forms:
48 - LCB 54-7 - Promotion of Sale
of Liquor by Vendors:
49 - State, Corporation Bureau 16-1 -
Names, Trademarks and Service Marks)

WEDNESDAY, AUGUST 3, 1983

9:30 A.M. CONSUMER PROTECTION Senate Majority
AND PROFESSIONAL Caucus Room
LICENSURE (Public Hearing
on Senate Bill No. 457)

TUESDAY, AUGUST 9, 1983

3:00 P.M. Independent Regulatory Heritage Room A,
Review Commission 333 Market St.

WEDNESDAY, AUGUST 17, 1983

9:30 A.M. CONSUMER PROTECTION Room 461
AND PROFESSIONAL 4th Floor
LICENSURE (Public Hearing Conference Rm.,

on Senate Bill No. 220) North Wing

TUESDAY, AUGUST 23, 1983

3:00 P.M. Independent Regulatory Heritage Room A,
Review Commission 333 Market St.

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Wednesday, July 20, 1983, at 9:45 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:27 p.m., Eastern Daylight Saving Time.