

Legislative Journal

MONDAY, NOVEMBER 14, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 82

SENATE

MONDAY, November 14, 1983.

The Senate met at 2:00 p.m., Eastern Standard Time.

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

PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Father in heaven, we know of no better way to begin the work of another week than by rededicating our lives to Thee, resolving to trust Thee, obey Thee and to do our very best to serve Thee by serving our fellowmen. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of October 26, 1983.

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

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I request a legislative leave of absence for this week's Session for Senator Jubelirer. I request a legislative leave of absence for today's Session only for Senator Kratzer.

Senator SCANLON. Mr. President, I request a legislative leave of absence for the entire week for Senator Hankins. I request a legislative leave of absence for today's Session only for Senator Romanelli. I also request temporary legislative leaves of absence for Senator Zemprelli and Senator Williams.

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

LEAVE OF ABSENCE

Senator STAUFFER asked and obtained leave of absence for Senator O'CONNELL, for the week, for personal reasons.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The PRESIDENT laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bills had been approved and signed by the Governor:

SB 21, 199, 428, 446, 526, 632 and 879.

SENATE BILL RETURNED WITHOUT APPROVAL

The PRESIDENT laid before the Senate the following veto message from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bill had been returned without approval:

SB 421, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," providing for political activities by district justices; and eliminating cross-filing by candidates for the offices of judge, justice of the peace and school directors.

The Clerk read the veto message as follows:

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
Harrisburg

October 28, 1983

TO THE HONORABLE, THE SENATE OF THE COMMONWEALTH OF PENNSYLVANIA

I have before me for action Senate Bill 421, Printer's No. 1114, which would make significant changes in the processes currently utilized in electing candidates to judicial offices and school boards in Pennsylvania. The bill would eliminate the right of candidates for justice, judge, district justice and school director to "cross-file" as candidates in primary elections of any and all political parties of their choosing. The bill also proposes to eliminate restrictions on political involvement of district justices by permitting them to engage in a wide variety of partisan political activities, including delivery of political speeches, making or soliciting political contributions, attending political functions and conventions, holding party offices and participating in other political campaigns or activities.

I firmly believe that the pursuit of excellence and maintenance of public confidence in our courts and in our schools is a goal toward which we must strive. It is a goal best pursued by minimizing partisan political considerations in the selection process for our judicial officials and our school directors.

In the instance of cross-filing for court of common pleas, district justice and school board posts, I am persuaded that cross-filing has helped to do this. The candidates, their backgrounds and their records are generally known to the electors in the geographical area they are seeking to serve.

From reviewing the record of legislative debate on the bill, it is clear that the greatest concern expressed over cross-filing applied to our three statewide courts—the Supreme Court, Superior Court and Commonwealth Court. Unlike candidates for county and local offices, those seeking statewide office are generally not as well-known to the electorate. Factors such as name recognition, ballot position, regionalism and funds available for campaign advertising can unduly influence the selection process. I share the General Assembly's concern with this situation; however, I do not believe that the elimination of cross-filing is a preferred solution to the problem.

The General Assembly now has before it specific legislation, recommended by this Administration, which would replace our current system of electing justices and judges to our three statewide courts with a system of merit selection. I have advocated this kind of constitutional reform for almost 20 years and believe that it encourages the best-qualified candidates to seek positions on our appellate courts. The enormous costs and rigors of sustaining a statewide election campaign have deterred many of our most capable attorneys from seeking appellate judgeships. The process of gaining political endorsements and raising campaign funds can endanger judicial independence and impartiality, and adversely affect public confidence in the judiciary. The current system has also increased difficulties confronted by minorities, women and those from rural areas who seek statewide seats. We must move ahead vigorously to deal with these problems. The elimination of cross-filing is not, in my judgment, an effective means of doing this; passage of a constitutional amendment initiating comprehensive reform, is.

The proposed elimination of restrictions on political involvement of district justices raises serious constitutional and policy concerns. Article V, Section 10, of the Pennsylvania Constitution clearly states that the Supreme Court shall have the power to prescribe general rules governing the conduct of district justices and that any laws which are passed shall be suspended to the extent that they are inconsistent with such rules. In addition, Article V, Section 17, states that district justices are to be governed by rules or canons as prescribed by the Supreme Court with regard to prohibited activities.

The provisions of S.B. 421 are in direct conflict with the Supreme Court's "Rules Governing Standards of Conduct of District Justices." Rule 15 specifically states that district justice candidates may not hold office in a political party or organization, deliver political speeches, make or solicit political contributions or attend political or party conventions or gatherings. Thus, this legislation would currently violate the Constitution and invite an undesirable confrontation with the courts.

My opposition to such direct political involvement for district justices does not rest on constitutional grounds alone, but on public policy grounds as well. I believe that the goals of maintaining public confidence and an impartial and independent judiciary are best achieved where partisan political entanglements and obligations are absent.

For the above reasons, I am returning this bill without my signature. At the same time, I recognize the valid concerns the General Assembly has with our current system of elections for statewide judicial posts and I urge you and your colleagues in the House of Representatives to enact comprehensive court reform, including merit selection for our appellate courts, as a more effective means of addressing them.

DICK THORNBURGH.  
Governor

The PRESIDENT. The communication and bill will be laid on the table.

## RECALL COMMUNICATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

### MEMBER OF THE COUNCIL OF TRUSTEES OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

October 27, 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 August 1, 1983, for the reappointment of Constance E. Clayton, 430 East Sedgwick Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified.

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

DICK THORNBURGH.

### MEMBER OF THE COUNCIL OF TRUSTEES OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

October 27, 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 September 28, 1983, for the appointment of David W. Woods, 232 Sedgewood Road, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

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

DICK THORNBURGH.

## RECALL COMMUNICATION LAID ON THE TABLE

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

### MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

October 31, 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 July 18, 1983 for the reappointment of William Stavisky (Republican), 14 Second Street, Shinglehouse 16748, Potter County, Twenty-fifth Senatorial District, as a member of the Potter County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified.

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

DICK THORNBURGH.

**NOMINATIONS BY THE GOVERNOR  
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
CHEYNEY UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION**

October 27, 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 Constance E. Clayton, 430 East Sedgwick Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Audrey S. Pittman, Philadelphia, whose term expired.

DICK THORNBURGH.

**MEMBER OF THE PUBLIC EMPLOYEE  
RETIREMENT STUDY COMMISSION**

October 27, 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 Paul D. Halliwell, 60 Country Club Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Public Employee Retirement Study Commission, to serve until October 27, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION**

October 27, 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 Jack R. Arthurs, 324 Acre Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
WEST CHESTER UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION**

October 27, 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 J. Curtis Joyner, Esquire, 1105 Nottingham Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Constance Clayton, Philadelphia, whose term expired.

DICK THORNBURGH.

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
WEST CHESTER UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION**

October 27, 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 William E. Mullestein, R. D. 1, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

**MEMBER OF THE NORTHUMBERLAND COUNTY  
BOARD OF ASSISTANCE**

October 27, 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 Frank A. Ferrari (Democrat), 411 West Third Street, Mount Carmel 17851, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHUMBERLAND COUNTY  
BOARD OF ASSISTANCE

October 27, 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 Nancy A. Forbes (Republican), 700 Park Drive, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 1985, and until her successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHUMBERLAND COUNTY  
BOARD OF ASSISTANCE

October 27, 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 S. Repella (Republican), Box 275, R. D. 1, Elysburg 17824, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Suzanne Memapace, Mount Carmel, whose term expired.

DICK THORNBURGH.

MEMBER OF THE NORTHUMBERLAND COUNTY  
BOARD OF ASSISTANCE

October 27, 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 Helen R. Rowe (Republican), 1304 Susquehanna Avenue, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified.

DICK THORNBURGH.

DISTRICT JUSTICE

October 27, 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. Stack, 1515 Locust Street, Jersey Shore 17740, Lycoming County, Twenty-third Senatorial District, for appointment as District Justice in and for the County of Lycoming, Magisterial District 3-01, to serve until the first Monday of January, 1986, vice Dean E. Dawc., resigned.

DICK THORNBURGH.

MEMBER OF THE STATE ART COMMISSION

October 31, 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 J. Breslin, R. D. 1, Balsam Road, Center Valley 18034, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE ART COMMISSION

October 31, 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 Alvin Holm, 123 North Lambert Street, Philadelphia 19103, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE ART COMMISSION

October 31, 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 John Rea, Jr., 33 Sylvan Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for reappointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE ART COMMISSION

October 31, 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 Richard Rittelmann, 127 Highland Road, Butler 16001, Butler County, Twenty-first Senatorial District, for reappointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE ART COMMISSION

October 31, 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 William G. Swain, 413 Harper Drive, Monroeville 15146, Allegheny County, Forty-fourth Senatorial District, for reappointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

**BRIGADIER GENERAL,  
PENNSYLVANIA NATIONAL GUARD**

October 31, 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 Colonel Robert G. Chrisjohn, Jr., 303 Windsor Drive, Coraopolis 15108, Allegheny County, Forty-second Senatorial District, for appointment as Brigadier General, Pennsylvania Air National Guard, Wing Commander, vice Brigadier General Peter R. Phillipy, retired.

**DICK THORNBURGH.**

**CONTROLLER, IN AND FOR THE  
COUNTY OF MCKEAN**

October 31, 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 Joyce Carr, 611 East Green Street, Smethport 16749, McKean County, Twenty-fifth Senatorial District, for appointment as Controller, in and for the County of McKean, to serve until the first Monday of January, 1986, vice John Edeen, deceased.

**DICK THORNBURGH.**

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

October 31, 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 Elaine Bogar, 4200 Ridgeview Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Health Care Policy Board, to serve until March 11, 1987, and until her successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

October 31, 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 Arthur Edmunds, 121 Crestline Place, Pittsburgh 15221, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Health Care Policy Board, to serve until April 29, 1987, and until his successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

October 31, 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 William A. Murray, 41 Gordon Drive, Rose Tree, Media 19063, Delaware County, Ninth Senatorial District, for reappointment as a member of the Health Care Policy Board, to serve until March 11, 1985, and until his successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

October 31, 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 William G. Williams, 714 Moreton Road, Meadowbrook 19046, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Health Care Policy Board, to serve until March 11, 1987, and until his successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE PENNSYLVANIA  
CANCER CONTROL, PREVENTION  
AND RESEARCH ADVISORY BOARD**

October 31, 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 Joan Host, Shadowbrook Drive, R. D. 6, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE PENNSYLVANIA  
CANCER CONTROL, PREVENTION  
AND RESEARCH ADVISORY BOARD**

October 31, 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 Mary Ellen Rich-Smith, 131 West Pomfret Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified.

**DICK THORNBURGH.**

**MEMBER OF THE PENNSYLVANIA  
CANCER CONTROL, PREVENTION  
AND RESEARCH ADVISORY BOARD**

October 31, 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 Timothy R. Talbot, Jr., M.D., 201 Booth Lane, Haverford 19041, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

October 31, 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 William P. Dwyer, Jr. (Independent), 1420 Winston Circle, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

October 31, 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 Dennis G. Gambler (Republican), 239 Vista Drive, Nazareth 18064, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

October 31, 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 Beatrice Goode (Republican), 699 Ferry Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

October 31, 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 Earl G. Keyser (Democrat), 111 North Tenth Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

October 31, 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 Terry L. Matla (Republican), 3279 Garrett Circle, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

JUDGE, COURT OF COMMON PLEAS,  
BRADFORD COUNTY

November 1, 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 Jeffrey Alan Smith, Esquire, 363 York Avenue, Towanda 18848, Bradford County, Twenty-third Senatorial District, for appointment as Judge of the Court of Common Pleas of Bradford County, to serve until the first Monday of January, 1986, vice the Honorable Evan S. Williams, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF MOTOR VEHICLE MANUFACTURERS,  
DEALERS AND SALESMEN

November 1, 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 Vellie Steele (Public Member), 517 North High Street, Duncannon 17020, Perry County, Thirty-third Senatorial District, for appointment as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, to serve until February 3, 1986, and until her successor is appointed and qualified, vice Samuel Weinberg, Philadelphia, resigned.

DICK THORNBURGH.

MEMBER OF THE ELK COUNTY  
BOARD OF ASSISTANCE

November 1, 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 Ulmer Fritz (Republican), 147 Straub Avenue, Saint Marys 15857, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified, vice Barbara M. Foster, Saint Marys, resigned.

DICK THORNBURGH.

## HOUSE MESSAGES

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 11**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

October 26, 1983

**HB 367** — Committee on State Government.

**HB 1309** — Committee on Aging and Youth.

**HB 1517** — Committee on Transportation.

November 2, 1983

**HB 846** and **902** — Committee on State Government.

**HB 1445** and **1448** — Committee on Consumer Protection and Professional Licensure.

## GENERAL COMMUNICATIONS

### BILLS INTRODUCED AND REFERRED

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

October 26, 1983

Senators HOWARD, FISHER, SHUMAKER and O'PAKE presented to the Chair **SB 1116**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for State employees and officers.

Which was committed to the Committee on FINANCE, October 26, 1983.

Senators HOWARD, JUBELIRER, MOORE, LOEPER and HELFRICK presented to the Chair **SB 1117**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for refunds and prepayment of tax.

Which was committed to the Committee on FINANCE, October 26, 1983.

Senators ANDREZESKI, O'PAKE, FUMO and REIBMAN presented to the Chair **SB 1118**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for gas or electric utility advertising expenses and regulation.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 26, 1983.

Senators HANKINS, STREET, BELL and WILLIAMS presented to the Chair **SB 1119**, entitled:

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for the date of Dr. Martin Luther King, Jr. Day.

Which was committed to the Committee on BANKING AND INSURANCE, October 26, 1983.

October 28, 1983

Senator ZEMPRELLI presented to the Chair **SB 1120**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of dealing in minor children; and forbidding advertising for adoption placement of minor children.

Which was committed to the Committee on JUDICIARY, October 28, 1983.

November 2, 1983

Senators BRIGHTBILL, HELFRICK and O'CONNELL presented to the Chair **SB 1121**, entitled:

An Act amending the act of January 14, 1952 (1951 P. L. 2016, No. 561), entitled "An act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof," further providing for the utilization of auxiliary police personnel.

Which was committed to the Committee on LOCAL GOVERNMENT, November 2, 1983.

Senator O'CONNELL presented to the Chair **SB 1122**, entitled:

An Act requiring an affirmative vote in a Statewide referendum as a condition of legalizing gambling through casinos or by gaming machines.

Which was committed to the Committee on STATE GOVERNMENT, November 2, 1983.

November 14, 1983

Senators HANKINS, SNYDER, BELL, WILLIAMS and ANDREZESKI presented to the Chair **SB 1123**, entitled:

An Act designating Lincoln University a land grant institution.

Which was committed to the Committee on EDUCATION, November 14, 1983.

Senators SCANLON, ZEMPRELLI, KELLEY and ROSS presented to the Chair **SB 1124**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the motor vehicle emission inspection program; and making a repeal.

Which was committed to the Committee on TRANSPORTATION, November 14, 1983.

Senators SCANLON, ZEMPRELLI, KELLEY and ROSS presented to the Chair **SB 1125**, entitled:

An Act prohibiting the payment of certain counsel fees.

Which was committed to the Committee on TRANSPORTATION, November 14, 1983.

Senator GREENLEAF presented to the Chair **SB 1126**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further establishing a duty to stop vehicles at accident scenes; and providing an exception from the duty for emergency vehicles.

Which was committed to the Committee on TRANSPORTATION, November 14, 1983.

Senator HOLL presented to the Chair **SB 1127**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149, No. 105), entitled, as amended, "The Liquid Fuels Tax Act," changing the formula for distribution of part of the tax to counties.

Which was committed to the Committee on TRANSPORTATION, November 14, 1983.

#### **PROPOSED BUDGET OFFICE OF CONSUMER ADVOCATE**

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

OFFICE OF CONSUMER ADVOCATE  
COMMONWEALTH OF PENNSYLVANIA  
1425 Strawberry Square  
Harrisburg, Pennsylvania 17120

October 31, 1983

Hon. Dick Thornburgh  
Governor of Pennsylvania  
Commonwealth of Pennsylvania  
Room 225, Main Capitol Bldg.  
Harrisburg, PA 17120

Hon. Henry G. Hager  
President Pro Tempore  
Senate of Pennsylvania  
Room 292, Main Capitol Bldg.  
Harrisburg, PA 17120

Hon. K. Leroy Irvis  
Speaker  
House of Representatives  
Room 139, Main Capitol Bldg.  
Harrisburg, PA 17120

Gentlemen:

Enclosed with this letter is the Office of Consumer Advocate (OCA) Budget Request for Fiscal Year 1984-85. The budget request is \$2,033,000, which represents an increase of approximately 17% over the OCA's 1983-84 budget of \$1,732,000.

The present budget request is the first OCA budget submitted pursuant to Act No. 25 of July 20, 1983. Under this Act, which amended the OCA budget-setting mechanism, this budget request must be submitted simultaneously to the Governor and General Assembly.

It should be noted that according to both the OCA's original and amended enabling legislation, the OCA budget may not exceed five one hundredths of one percent (0.05%) of the prior calendar year's total intrastate gross revenues of the public utilities subject to the jurisdiction of the Pennsylvania Public Utility Commission (PUC). According to the present PUC estimate of 1983 public utility revenues, the OCA's budget "cap" for Fiscal Year 1984-85 will be \$6,659,717. The OCA's proposed budget thus represents approximately 30.5% of its cap.

If you have any questions about the OCA's budget request or about the Office of Consumer Advocate, I would be pleased to meet with you or members of your staff at your convenience.

Sincerely,

DAVID M. BARASCH  
Acting Consumer Advocate

The PRESIDENT. This budget request will be filed in the Library.

#### **APPROVAL OF REGULATION**

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following PUC regulation has been approved for submission to the Independent Regulatory Review Commission: #L-830091.

#### **DISAPPROVAL OF REGULATION**

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following PUC regulation has been recommended for disapproval by the Independent Regulatory Review Commission: #L-830092.

#### **RESOLUTION REPORTED FROM COMMITTEE**

Senator SHAFFER, from the Committee on Community and Economic Development, reported the following resolution:

**SR 86 (Pr. No. 1470) (Amended)**

Directing the President pro tempore of the Senate and the Speaker of the House of Representatives to appoint a special bipartisan committee to investigate and make recommendations to the General Assembly on the sponsorship of the first "Pennsylvania Products Exposition."

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

#### **REPORT FROM COMMITTEE**

Senator STREET, from the Committee on Urban Affairs and Housing, reported the following bill:

**HB 574 (Pr. No. 2118) (Amended) (Rereported)**

An Act authorizing operation of electronic consumer operated video bingo devices in cities of the first and second class; providing for financial assistance for education by the creation of a Video Bingo Education Fund; creating and empowering a commission; granting authority to the Department of Revenue; imposing duties on the city council of cities of the first class and the school board in cities of the second class; providing for the distribution of proceeds; and making repeals.



## SENATE CONCURRENT RESOLUTION

### RECESS ADJOURNMENT

Senator MOORE offered the following resolution, which was read as follows:

In the Senate, November 14, 1983.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, November 29, 1983 unless sooner recalled by the President Pro Tempore and when the House of Representatives adjourns this week it reconvene on Tuesday, November 29, 1983 unless sooner recalled by the Speaker.

Senator MOORE asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,  
Will the Senate adopt the resolution?

### SENATE CONCURRENT RESOLUTION ADOPTED

Senator MOORE. Mr. President, I move that the Senate do adopt this resolution.

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—47

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

#### 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 the same to the House of Representatives for concurrence.

### FAMILY OF SENATOR JOHN STAUFFER PRESENTED TO SENATE

Senator STAUFFER. Mr. President, on behalf of two of my colleagues, the gentleman from Lancaster, Senator Wenger, and the gentleman from Lancaster, Senator Snyder, and myself, I would like to make a very special introduction as far as we are concerned. Visiting with us in the gallery today are one of my daughters and one of my granddaughters. My daughter is Mrs. Nancy Herr and her daughter, my granddaughter, Abigail. They happen to be residents of Senator Wenger's district. My daughter, Nancy, happens to have a very special relationship with Senator

Snyder. They are really the guests of all three of us and I would like to introduce them to my colleagues in the Senate and ask that you extend to them the typical warm greeting we accord visitors to the Senate.

The PRESIDENT. Would our special guests please rise so the Senate may give you its traditional warm welcome?

(Applause.)

Senator SNYDER. Mr. President, I should explain the special relationship consists of Mrs. Herr being a paralegal in the law office in which I have some association. She is one of the most efficient people I know.

### GUESTS OF SENATOR RICHARD A. SNYDER PRESENTED TO SENATE

Senator SNYDER. Mr. President, I would also like to note the presence in the gallery of the ladies from the Women in Politics class of the YWCA of Lancaster who are being led by Mrs. Edwina Coder of the League of Women Voters of Lancaster. I ask the Senate to greet them.

The PRESIDENT. Would our guests kindly rise so the Senate may give you its traditional warm welcome?

(Applause.)

### RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations which will convene in the Rules Committee room immediately upon the declaration of the recess, to be followed by a Republican caucus to convene immediately in our caucus room, with the expectation we will return to the floor at 3:15 p.m.

Senator SCANLON. Mr. President, I request all Members of the Democratic caucus to report to the Minority caucus room immediately for a very short caucus.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, to be followed by Republican and Democratic caucuses, the Chair declares the Senate in recess.

### AFTER RECESS

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

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

### LEGISLATIVE LEAVE

Senator STAUFFER. Mr. President, I request a temporary legislative leave of absence for Senator Kusse who had to leave the floor to attend a meeting with the Secretary of Education.

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

## CALENDAR

BILL ON CONCURRENCE IN  
HOUSE AMENDMENTS

## BILL OVER IN ORDER

**SB 279** — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

## THIRD CONSIDERATION CALENDAR

## BILL OVER IN ORDER TEMPORARILY

**HB 258** — Without objection, the bill was passed over in its order temporarily at the request of Senator STAUFFER.

## BILL LAID ON THE TABLE

**SB 266 (Pr. No. 1389)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for the appointment of watchers.

Upon motion of Senator STAUFFER, and agreed to, the bill was laid on the table.

## BILL OVER IN ORDER TEMPORARILY

**HB 327** — Without objection, the bill was passed over in its order temporarily at the request of Senator STAUFFER.

## BILL LAID ON THE TABLE

**SB 432 (Pr. No. 1450)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for the manner of signing nomination petitions.

Upon motion of Senator STAUFFER, and agreed to, the bill was laid on the table.

## BILLS OVER IN ORDER

**SB 985 and HB 1004** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

## SECOND CONSIDERATION CALENDAR

## BILLS ON SECOND CONSIDERATION

**SB 25 (Pr. No. 25)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 13, 1915 (P. L. 286, No. 177), entitled, as amended, "Child Labor Law," reducing minimum age requirements of minors who sell newspapers.

Considered the second time and agreed to,

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

**HB 92 (Pr. No. 411)** — 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), providing for the registration of transient vendors.

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

## BILLS OVER IN ORDER

**HB 256, SB 277, 408, 442, 450, 698, 729 and HB 743** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

## BILLS REREFERRED

**SB 858 (Pr. No. 1455)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 1, 1978 (P. L. 584, No. 109), entitled "Milrite Act," authorizing the Milrite Council to make feasibility study loans and to provide technical assistance to qualified employee groups, their labor representatives or other groups to help finance feasibility studies of the purchase of existing businesses in Pennsylvania which are in danger of being shut down or moving out of the Commonwealth; providing for administrative assistance; specifying the procedures to be followed in making such loans; and making an appropriation.

Upon motion of Senator STAUFFER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 900 (Pr. No. 1061)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 1967 (P. L. 636, No. 292), entitled "Neighborhood Assistance Act," increasing the total amount of tax credits allowable in any one fiscal year.

Upon motion of Senator STAUFFER, and agreed to, the bill was rereferred to the Committee on Appropriations.

## BILL OVER IN ORDER

**SB 907** — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

## BILL REREFERRED

**SB 951 (Pr. No. 1448)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the licensing and regulation of automotive dismantlers and parts recyclers.

Upon motion of Senator STAUFFER, and agreed to, the bill was rereferred to the Committee on Appropriations.

## BILLS OVER IN ORDER

**SB 994, 995 and 1015** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

## BILL REREFERRED

**SB 1041 (Pr. No. 1393)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the administration and allocation of certain Federal block grants.

Upon motion of Senator STAUFFER, and agreed to, the bill was rereferred to the Committee on Appropriations.

## BILLS OVER IN ORDER

**SB 1045 and 1053** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

## BILL REREFERRED

**SB 1057 (Pr. No. 1341)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Pennsylvania International Trade Council; granting powers and duties; and making an appropriation.

Upon motion of Senator STAUFFER, and agreed to, the bill was rereferred to the Committee on Appropriations.

## BILL ON SECOND CONSIDERATION

**SB 1060 (Pr. No. 1344)** — The Senate proceeded to consideration of the bill, entitled:

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

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

## BILL OVER IN ORDER

**SB 1091** — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

SURPLUS PROPERTY DISPOSITION PLAN,  
RESOLUTION A, CALLED UP

Senator STAUFFER, without objection, called up from page 7 of the Calendar, **Surplus Property Disposition Plan, Resolution A**, entitled:

In the Senate, October 26, 1983.

Resolved, That Surplus Property Disposition Plan No. 1 of 1983, transmitted by the Governor under the Administrative Code of 1929 to the General Assembly under date of October 26, 1983, which is incorporated herein by reference be approved.

On the question,  
Will the Senate adopt the resolution?

SURPLUS PROPERTY DISPOSITION PLAN,  
RESOLUTION A, ADOPTED

Senator STAUFFER, Mr. President, I move that the Senate do adopt Surplus Property Disposition Plan, Resolution A.

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

SUNSET REVIEW RESOLUTION NO. 1,  
CALLED UP

Senator STAUFFER, without objection, called up from page 7 of the Calendar, **Sunset Review Resolution No. 1**, entitled:

Continuing existence of the Architects Licensure Board scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the Architects Licensure Board shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the Architects Licensure Board has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the Architects Licensure Board continue in existence until the next review and termination cycle scheduled for the agency.

On the question,  
Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 1,  
ADOPTED

Senator STAUFFER, Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 1.

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

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

## YEAS—49

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

## NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 2,  
CALLED UP

Senator STAUFFER, without objection, called up from page 7 of the Calendar, **Sunset Review Resolution No. 2**, entitled:

Continuing existence of the State Board of Auctioneer Examiners scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Board of Auctioneer Examiners shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Board of Auctioneer Examiners has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Board of Auctioneer Examiners continue in existence until the next review and termination cycle scheduled for the agency.

On the question,

Will the Senate adopt the resolution?

**SUNSET REVIEW RESOLUTION NO. 2,  
ADOPTED**

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 2.

On the question,

Will the Senate agree to the motion?

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

**YEAS—48**

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

**NAYS—1**

Fisher

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

**SUNSET REVIEW RESOLUTION NO. 3,  
CALLED UP**

Senator STAUFFER, without objection, called up from page 8 of the Calendar, **Sunset Review Resolution No. 3**, entitled:

Continuing existence of the State Board of Examiners of Public Accountants scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Board of Examiners of Public Accountants shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Board of Examiners of Public Accountants has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Board of Examiners of Public Accountants continue in existence until the next review and termination cycle scheduled for the agency.

On the question,

Will the Senate adopt the resolution?

**SUNSET REVIEW RESOLUTION NO. 3,  
ADOPTED**

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 3.

On the question,

Will the Senate agree to the motion?

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

**YEAS—49**

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

**NAYS—0**

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

**SUNSET REVIEW RESOLUTION NO. 4,  
CALLED UP**

Senator STAUFFER, without objection, called up from page 8 of the Calendar, **Sunset Review Resolution No. 4**, entitled:

Continuing existence of the State Board of Funeral Directors scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Board of Funeral Directors shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Board of Funeral Directors has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Board of Funeral Directors continue in existence until the next review and termination cycle scheduled for the agency.

On the question,

Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 4, ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 4.

On the question,

Will the Senate agree to the motion?

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

YEAS—49

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 5, CALLED UP

Senator STAUFFER, without objection, called up from page 8 of the Calendar, **Sunset Review Resolution No. 5**, entitled:

Continuing existence of the State Board of Landscape Architects scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Board of Landscape Architects shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Board of Landscape Architects has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Board of Landscape Architects continue in existence until the next review and termination cycle scheduled for the agency.

On the question,

Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 5, ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 5.

On the question,

Will the Senate agree to the motion?

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

YEAS—49

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 6, CALLED UP

Senator STAUFFER, without objection, called up from page 8 of the Calendar, **Sunset Review Resolution No. 6**, entitled:

Continuing existence of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen continue in existence until the next review and termination cycle scheduled for the agency.

On the question,  
Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 6,  
ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 6.

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

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

YEAS—49

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 7,  
CALLED UP

Senator STAUFFER, without objection, called up from page 8 of the Calendar, **Sunset Review Resolution No. 7**, entitled:

Continuing existence of the State Real Estate Commission scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Real Estate Commission shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Real Estate Commission has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Real Estate Commission continue in existence until the next review and termination cycle scheduled for the agency.

On the question,  
Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 7,  
ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 7.

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

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

YEAS—49

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 8,  
CALLED UP

Senator STAUFFER, without objection, called up from page 9 of the Calendar, **Sunset Review Resolution No. 8**, entitled:

Continuing existence of the State Registration Board for Professional Engineers scheduled for termination under Sunset Act.

WHEREAS, Section 6(a) of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, provides that the State Registration Board for Professional Engineers shall terminate on December 31, 1983; and

WHEREAS, Section 7(b) of that act provides that, unless legislation is enacted prior to November 1 reestablishing an agency, the presiding officer of each House shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued; and

WHEREAS, Section 7(b) further provides that, if a majority of the members elected to each House approve the resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for the agency; and

WHEREAS, Legislation reestablishing the State Registration Board for Professional Engineers has not been enacted prior to November 1 and it is desirable that the agency continue in existence; therefore be it

RESOLVED, That the State Registration Board for Professional Engineers continue in existence until the next review and termination cycle scheduled for the agency.

On the question,  
Will the Senate adopt the resolution?

**SUNSET REVIEW RESOLUTION NO. 8,  
ADOPTED**

Senator STAUFFER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 8.

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

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

**YEAS—49**

Andrezeski	Holl	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	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			

**NAYS—0**

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

**PERMISSION TO ADDRESS SENATE**

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

Senator ANDREZESKI. Mr. President, earlier in the day when our first roll call on the adjournment resolution was

taken, I was in my office on legislative business. I would like the record to reflect that had I been present for that roll call, I would have voted in the affirmative.

The PRESIDENT pro tempore. The gentleman's remarks will be spread upon the Journal of the Senate.

**CONSIDERATION OF CALENDAR RESUMED**

**HB 258 CALLED UP**

**HB 258 (Pr. No. 2043)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator STAUFFER.

**BILL ON THIRD CONSIDERATION AMENDED  
AND LAID ON THE TABLE**

**HB 258 (Pr. No. 2043)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for computer-related offenses.

Considered the third time,

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

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

Amend Title, page 1, line 3, by removing the period after "offenses" and inserting: ; and extending the sunset provision relating to wiretapping and electronic surveillance.

Amend Sec. 1, page 1, line 7, by striking out "a section" and inserting: sections

Amend Bill, page 3, by inserting between lines 17 and 18:

§ 5727. Expiration.

This chapter expires December 4, 1988 unless extended by statute.

Section 2. Section 3 of the act of October 4, 1978 (P.L.831, No.164), entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making certain repeals and adding new provisions relating to wiretapping and electronic surveillance," is repealed.

Amend Sec. 2, page 3, line 18, by striking out "2. This act shall take effect in 60 days." and inserting:

3. (a) Section 1, insofar as it relates to 18 Pa.C.S. § 3933, shall take effect in 60 days.

(b) The remainder of this act shall take effect immediately.

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

Senator HOPPER. Mr. President, all this amendment does is extend the Sunset provision on the wiretapping legislation. All the contents of this amendment were contained in Senate Bill No. 650 which passed this Body on June 14th by a vote of 45-3. I ask this amendment be approved.

Senator WILLIAMS. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Hopper.

The PRESIDENT pro tempore. Will the gentleman from Cumberland, Senator Hopper, permit himself to be interrogated?

Senator HOPPER. I will, Mr. President.

Senator WILLIAMS. Mr. President, if this amendment to this otherwise important piece of legislation is precisely the same as Senate Bill No. 650 which was passed by this Body and sent to the House, what is the reason to pass this amendment due to the fact there is a pending piece of legislation exactly the same which we have already passed? What would be the function of passing this amendment?

Senator HOPPER. Mr. President, if this amendment is not inserted into House Bill No. 258 and sent back to the House for concurrence, the sun will set on the authority of the law enforcement agencies to secure permission to wiretap in order to get evidence against drug traffickers and narcotics racketeers and all those crimes where it is very difficult to get evidence. The Supreme Court Justice has to approve the wiretapping.

What I am also saying, Mr. President, is, it is going to take considerable time. The reason I am amending it into this House bill, which is sponsored by the Chairman of the Committee on Judiciary of the House, is to expedite the passage of it so the cases in progress in law enforcement agencies which have been approved for wiretapping will be able to continue that beyond Sunset of December 4th. There are only four legislative days in this Session before the Sunset sets on this provision to wiretap, which is very important, and they are the 15th, 16th, 29th and 30th of this month. I am simply trying to expedite the authority for the law enforcement agencies to continue their wiretapping in order to secure evidence necessary to lead to convictions in cases where it is hard to get other evidence.

Senator WILLIAMS. Mr. President, we have here a piece of legislation on wiretapping. To be very frank, I was one of the three who opposed the legislation we passed some weeks ago. What is disturbing is that the Sunset provision of the wiretap law says the legislative Body would look at that law at this time in a Sunset review, largely because of the potential power abuses of wiretapping with regard to the invasion of privacy and to balance out the need for that investigative tool with the encroachment on privacy.

We were told during the debate on that Sunset provision that we would get certain information to enable us to intelligently determine the course of that power and the applicability of that need. We never received that from the Attorney General or whoever had the information in all this time that we responsibly should have. Frankly, I just think that is sad because it is almost like saying we are put here to guard and to protect, to guard the individual rights and to protect society against certain crimes. That is our responsibility. Yet, we readily moved ahead and we sunset it without that information. I do not know that that is very responsible, but, nevertheless, this amendment asks us to be in an awkward anomaly posture. We have already passed that. We are already on record saying we were afraid to demand information that Pennsylvania citizens are entitled to have and it is in a legislative Body for them to deliberate and to act upon. We are asked to redo what we did in a posture I say of an awkward

anomaly of some kind of fear, afraid to ask what I think we have an obligation to ask for.

That makes this amendment kind of scary because it says, "Okay, we will do it another way on another bill. Hopefully that will create some pressure."

I suggest this is one instance in which every man and woman in the Senate and the House ought to clearly speak his own conscience and to deliberate based on his own thought on this subject. I would think each of us would do everything we could to make sure that happens because it is only when it is the opposite that invasions like this in every country and in every world, including ours, get seriously out of hand and innocent people get damaged, reputations get besmirched and people with that unusual power are encouraged to use it even when it is not needed.

In that context, I say to the gentleman who I know has all good intentions, this amendment is just a bit much. Why cannot the House of Pennsylvania act or not act? Perhaps it thinks it should not be sunsetted for whatever reasons. Perhaps it is requiring the Attorney General to provide the information we are entitled to get and never got. I will vote against the amendment as I did against the bill. I did this not only on a philosophical basis but more so on the basis that we were entitled to information. I do not think we should be scared out of our wits into voting for something after we have had all this time, but to have another amendment to do what we have already done? I do not know what that accomplishes for the citizens of Pennsylvania. I do not know what that proves for us. I do not know on what information we are basing that. I urge we give a little thought in the repeat of this performance.

Senator KELLEY. Mr. President, the gentleman from Philadelphia, Senator Williams, admits to being one of the three votes in the negative against Senate Bill No. 650—which was the Senate's expression of 45 to 3—which was passed in June and was the extension of the wiretapping act.

The essence of the amendment offered by the gentleman from Cumberland, however, is a—if I may use the word—bastardization of the process in the essence of sunset considerations. Wiretapping itself and sunsetting should always be looked at in the singular and never combined with any other issue. In June this Senate voted for the extension by an overwhelming vote of 45 to 3. As the gentleman from Philadelphia well pointed out, sunsetting to each Body is to review in its deliberations the merits of that issue. I, as I have said, voted in the affirmative for that extension. I think it is appalling for us to think we would bastardize another legitimate issue, so to speak, which is the extension of theft of services into a very important area, by trying to tack on the sunset provision for wiretapping. If I were in the other Body, I would resent it. It should stand alone. It is that important. For us to try to force down the throats of the other Body the consideration of sunsetting with a very vital and valuable legitimate extension of the theft of services, I think, would be irresponsible on our part. On that issue alone I will enthusiastically join the gentleman from Philadelphia, Senator Williams, in opposing this



amendment even though I joined in the substantive vote of being affirmative on the subject of extension of wiretapping in June, because I think it is a bastardization of the process of sunseting itself. Let us keep it legitimate and treat it singularly. Do not try to force the House into treating it with something that is legitimate in itself. I urge a negative vote on the amendment.

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

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

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—37

Bell	Holl	Mellow	Shaffer
Bodack	Hopper	Moore	Shumaker
Brightbill	Howard	Musto	Snyder
Corman	Jubelirer	O'Pake	Stapleton
Early	Kratzer	Pecora	Stauffer
Fisher	Kusse	Reibman	Stout
Greenleaf	Lincoln	Rhoades	Tilghman
Hager	Lloyd	Rocks	Wenger
Helfrick	Loeper	Ross	Wilt
Hess			

NAYS—11

Andrezeski	Kelley	Scanlon	Williams
Fumo	Lynch	Singel	Zemprelli
Hankins	Romanelli	Street	

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

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

MOTION TO LAY BILL ON THE TABLE

Senator STAUFFER. Mr. President, I move that House Bill No. 258, as amended, be laid on the table. In making that motion I would like the Members to understand we will call it off the table tomorrow. I am tabling it only because it is a tenth day bill.

On the question,  
Will the Senate agree to the motion?  
The motion was agreed to.  
The PRESIDENT pro tempore. House Bill No. 258 will be laid on the table, as amended.

HB 327 CALLED UP

HB 327 (Pr. No. 1690) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator STAUFFER.

BILL ON THIRD CONSIDERATION AMENDED

HB 327 (Pr. No. 1690) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Pennsylvania Minority Business Development Authority Act," approved July 22, 1974 (P. L. 598, No. 206), authorizing proxies of legislative and cabinet members to vote on certain matters before the board of directors.

Considered the third time,

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator STREET, by unanimous consent, offered the following amendment:

Amend Sec.1 (Sec.4), page 2, lines 2 and 3, by striking out "both legislative and cabinet members" and inserting: members who are members of the General Assembly or who are heads of departments of this Commonwealth

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 STREET.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator LOEPER,  
That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.  
Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE COUNCIL OF TRUSTEES OF  
MILLERSVILLE UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

September 28, 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 L. Ressler, Box 203, R. D. 2, New Holland 17557, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES  
OF POLK CENTER

September 19, 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 Beverly K. Snyder, Box 147, 315 Main Street, Emlenton 16373, Venango County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1985, and until her successor is appointed and qualified, vice Albert B. Iorfido, Franklin, resigned.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION

September 19, 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 James Oliver Hunter, Esquire, 2273 Ferguson Road, Allison Park 15101, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, and until his successor shall have been appointed and qualified, vice Frank A. Ursomarso, Kennett Square, resigned.

DICK THORNBURGH.

MEMBER OF THE WORKMEN'S  
COMPENSATION APPEAL BOARD

October 17, 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 Thomas Breslin, 4514 Osage Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Workmen's Compensation Appeal Board, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified, to fill a new position.

DICK THORNBURGH.

MEMBER OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

September 19, 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 Walter M. Eckman (Republican), 1 Limestone Road, Cochranville 19330, Chester County, Thirty-sixth Senatorial District, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Gloria Ann Phillips, Halvern, resigned.

DICK THORNBURGH.

MEMBER OF THE POTTER COUNTY  
BOARD OF ASSISTANCE

October 3, 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 Basil E. Harris (Republican), 189 West Main Street, Galeton 16922, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice John A. Duval, Coudersport, whose term expired.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—48

Andrezeski	Hess	Mellow	Shumaker
Bell	Holl	Moore	Singel
Bodack	Hopper	Musto	Snyder
Brightbill	Howard	O'Pake	Stapleton
Corman	Jubelirer	Pecora	Stauffer
Early	Kelley	Reibman	Stout
Fisher	Kratzer	Rhoades	Street
Fumo	Kusse	Rocks	Tilghman
Greenleaf	Lincoln	Romanelli	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 Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

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

The Clerk read the nomination as follows:

MEMBER OF THE MILK MARKETING BOARD

September 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 Paul A. O'Hop, Sr., Janette Circle, Moscow 18444, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Milk Marketing Board to serve until May 1, 1989, and until his successor shall have been appointed and qualified, vice Marianne Olson, Pittsburgh, whose term expired.

**DICK THORNBURGH.**

On the question,

Will the Senate advise and consent to the nomination?

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

**YEAS—48**

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

**NAYS—0**

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

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

The motion was agreed to.

**UNFINISHED BUSINESS**

**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 COUNCIL OF TRUSTEES OF  
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION**

September 28, 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 Richard F. Wesner, R. D. 4, Box 279, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

**DICK THORNBURGH.**

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
CALIFORNIA UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION**

September 28, 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 Gail G. Lese, 5435 Library Road, Bethel Park 15102, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

**DICK THORNBURGH.**

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
CALIFORNIA UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION**

September 28, 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 Gwendolyn G. Simmons, 700 Meade Street, Monongahela 15063, Washington County, Forty-fifth Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

**DICK THORNBURGH.**

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
CHEYNEY UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION**

September 28, 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 Carolyn Stickney Beck, 316 St. Davids Road, St. Davids 19087, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CHEYNEY UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 Ashley H. Cooke, 1827 West Sixty-seventh Avenue, Philadelphia 19126, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CLARION UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 J. Paul Linnan, 240 Toby Lane, Clarion 16214, Clarion County, Forty-first Senatorial District, for appointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CLARION UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 Richard C. Snebold, Jr., 2706 Phillips Avenue, Glenshaw 15116, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF  
EASTERN STATE SCHOOL AND HOSPITAL

October 21, 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 Jane D. Eves, Pine Run Road, R. D. 1, Doylestown 18901, Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Trustees of Eastern State School and Hospital, to serve until the third Tuesday of January, 1985, and until her successor is appointed and qualified, vice Victor S. Jaczun, Perkasio, deceased.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
EAST STROUDSBURG UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

September 28, 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 R. Dale Hughes, R. D. 5, East Stroudsburg 18301, Monroe County, Twentieth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
EDINBORO UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 R. Benjamin Wiley, 3945 Holly Rue Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
INDIANA UNIVERSITY OF PENNSYLVANIA

September 28, 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 James A. Kimbrough, Ph.D., 830 Library Avenue, Apartment 2D, Carnegie 15106, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
KUTZTOWN UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 Sara R. Mack, 44A South Elm Street, Kutztown 19530, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
KUTZTOWN UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF  
HIGHER EDUCATION

September 28, 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 Frank McCracken, 1716 North Third Street, Reading 19601, Berks County, Eleventh Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
MILLERSVILLE UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

September 28, 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 William J. VanPelt, 1581 Hiemenz Road, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF  
MOTOR VEHICLE MANUFACTURERS,  
DEALERS AND SALESMEN

September 28, 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 Clement M. Novitsky (Used Car Dealer), R. D. 1, Jermyn 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, to serve until March 7, 1985, and until his successor is appointed and qualified, vice Helen A. Pestinikas, Scranton, declined appointment.

DICK THORNBURGH.

MEMBER OF THE STATE PLANNING BOARD

October 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 David E. Epperson, Ph.D., 115 North Murkland Street, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Planning Board, to serve until December 13, 1985, and until his successor is appointed and qualified, vice Margot Hunt, Swarthmore, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
SHIPPENSBURG UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

September 28, 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 J. Beard, Sr., 265 Overhill Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
SHIPPENSBURG UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

September 28, 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 James E. Kroh, 7701 Sunset Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

DICK THORNBURGH.

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

October 21, 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 Honorable Murray G. Dickman, 1074-7 Lancaster Boulevard, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve until September 26, 1986, vice Milton Melman, Harrisburg, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES  
OF TORRANCE STATE HOSPITAL

October 11, 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 James Lederach, Esquire, 16 Grace Road, Scottdale 15683, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice John F. Green, Derry, resigned.

DICK THORNBURGH.

MEMBER OF THE POTTER COUNTY  
BOARD OF ASSISTANCE

October 3, 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 Lowell Carpenter (Democrat), Ulysses 16948, Potter County, Twenty-fifth Senatorial District, for reappointment as a member of the Potter County Board of Assistance, to serve until December 31, 1983.

DICK THORNBURGH.

MEMBER OF THE POTTER COUNTY  
BOARD OF ASSISTANCE

October 3, 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 Virginia Goodnoe (Republican), 21 Woodlawn Avenue, Coudersport 16915, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 1985, and until her successor is duly appointed and qualified, vice Lefa Hennigh, Shinglehouse, whose term expired.

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 pro tempore. The nominations will be laid on the table.

POINT OF INFORMATION

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

The PRESIDENT pro tempore. The gentleman from Philadelphia, Senator Williams, will state it.

Senator WILLIAMS. Mr. President, did I understand the Chair laid those executive nominations on the table? Am I correct?

The PRESIDENT pro tempore. The nominations which were reported from committee will be laid on the table.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Austin M. Harrier and to Mr. and Mrs. Albert James Miller by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence Slack, Martin L. Moore, Jr., Thomas Debevoise, Raymond L. Hess, Jr., Maximillian C. Schoetz, James A. Theys, Robert A. McKean, III, Alex Hays IV and to Earl L. Gadbery by Senator Early.

Congratulations of the Senate were extended to Kelley Kolankiewicz by Senator Fisher.

Congratulations of the Senate were extended to Dr. James C. Giuffre, Mrs. Zenia Konik, United Tavern Owners of Pennsylvania and to the Philenape District of the Boy Scouts of America by Senator Fumo.

Congratulations of the Senate were extended to Stanley J. Smerroskie, Arlene Loss, Jane Slack, Betty Zeckman and to Jean Wenrick by Senator Helfrick.

Congratulations of the Senate were extended to Vincent Paul Bercher by Senator Holl.

Congratulations of the Senate were extended to the Greater Carlisle Area Chamber of Commerce by Senator Hopper.

Congratulations of the Senate were extended to Miss Janet Long and to Mrs. Susan Boyer by Senator Kratzer.

Congratulations of the Senate were extended to Perry J. Vahaly by Senator Lincoln.

Congratulations of the Senate were extended to Francis A. Kampf, Daniel Streicher, Mr. and Mrs. Bernard C. Lange, Greg Macrides and to Dr. Lila Stein Kroser by Senator Lloyd.

Congratulations of the Senate were extended to Robert Gillespie by Senator Loeper.

Congratulations of the Senate were extended to Sondra Myers, Mr. and Mrs. Walter H. Swarts, Michael Lopatka, William Sibio, John Pupalitis, Miss Lucille Tovcimak and to Paris Brian Alunni by Senator Mellow.

Congratulations of the Senate were extended to Thomas McCarthy by Senator O'Pake.

Congratulations of the Senate were extended to Joseph and Wadad Budway by Senators O'Pake and Scanlon.

Congratulations of the Senate were extended to The Most Reverend Anthony J. Bevilacqua by Senator Peçora.

Congratulations of the Senate were extended to Krantz-Boyle-Drabnis American Legion Post 144 of Middleport by Senator Rhoades.

Congratulations of the Senate were extended to William Brown by Senator Romanelli.

Congratulations of the Senate were extended to Lillian L. Sloan and to Lewis A. Judson by Senator Shaffer.

Congratulations of the Senate were extended to Abe Cramer and to Mary W. Foreman by Senator Shumaker.

Congratulations of the Senate were extended to the Dr. David H. Porter Class of Eagle Scouts by Senators Shumaker, Hopper and Moore.

Congratulations of the Senate were extended to Mr. and Mrs. Austin Harrier by Senator Singel.

Congratulations of the Senate were extended to The Reverend William E. Harper and to Mr. and Mrs. Henry H. Dhayer, Sr. by Senator Stout.

Congratulations of the Senate were extended to Edwin D. Hill by Senators Stout and Ross.

Congratulations of the Senate were extended to Oakley M. Lamb and to Mrs. Nancy Goodsell by Senator Wilt.

## COMMUNICATIONS FROM THE GOVERNOR

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The PRESIDENT pro tempore laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

### MEMBER OF THE BOARD OF DIRECTORS OF THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY

November 14, 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 Richard M. Cyert, Ph.D., 12 Edgewood Road, Pittsburgh 15215, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 1987, and until his successor is appointed and qualified, vice Doctor Marvin Wachman, Philadelphia, whose term expired.

DICK THORNBURGH.

### MEMBER OF THE COUNCIL OF TRUSTEES OF MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

November 14, 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 Ralph C. Antrim, Jr., R. D. 2, Box 133, Middlebury Center 16935, Tioga County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Clive Waxman, Williamsport, resigned.

DICK THORNBURGH.

### MEMBER OF THE BUCKS COUNTY BOARD OF ASSISTANCE

November 14, 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 Arthur Buchanan (No Affiliation), 57 North Homestead Drive, Yardley 19067, Bucks County, Tenth Senatorial District, for appointment as a member of the Bucks County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice J. Vann Beck, Langhorne, resigned.

DICK THORNBURGH.

### MEMBER OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

November 14, 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 Alice M. Davenport (Republican), Box 205, Main Street, Benton 17814, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1985, and until her successor is duly appointed and qualified, vice Dean Salsgiver, Bloomsburg, resigned.

DICK THORNBURGH.  
MEMBER OF THE LEBANON COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Joyce A. Dissinger (Democrat), 991 Lilac Lane, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Lebanon County Board of Assistance, to serve until December 31, 1983, and until her successor is duly appointed and qualified, vice William D. Bailey, Lebanon, resigned.

DICK THORNBURGH.  
MEMBER OF THE LEBANON COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Mrs. Jonnie Lee Rowe (Republican), R. D. 3, Box 8065, Jonestown 17083, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Lebanon County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified, vice Jane K. Williams, Lebanon, resigned.

DICK THORNBURGH.  
MEMBER OF THE LEHIGH COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Roberta W. Longworth (Democrat), 2521 Green Acres Drive, Allentown 18103, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Lehigh County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified, vice Linda G. Crawford, Allentown, resigned.

DICK THORNBURGH.  
MEMBER OF THE MIFFLIN COUNTY  
BOARD OF ASSISTANCE

November 14, 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 D. Bowersox (Republican), 1154 West Fifth Street, Lewistown 17044, Mifflin County, Thirty-fourth Senatorial District, for appointment as a member of the Mifflin County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Paul E. Bolger, Lewistown, deceased.

DICK THORNBURGH.  
MEMBER OF THE MONROE COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Rudolph F. Szollar (Republican), R. D. 6, Box 328, East Stroudsburg 18301, Monroe County, Twentieth Senatorial District, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Gertrude Denlinger, Pocono Pines, resigned.

DICK THORNBURGH.  
MEMBER OF THE MONTGOMERY COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Anne E. Baldrige (Republican), 101 Woodland Road, Wyncote 19095, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Montgomery County Board of Assistance, to serve until December 31, 1983, and until her successor is duly appointed and qualified, vice Ethel G. Shapiro, Elkins Park, resigned.

DICK THORNBURGH.  
MEMBER OF THE MONTGOMERY COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Dorothy Enright (Democrat), 211 Woodlyn Avenue, Glenside 19038, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Montgomery County Board of Assistance, to serve until December 31, 1983, and until her successor is duly appointed and qualified, vice Michael J. Mulligan, Hatboro, resigned.

DICK THORNBURGH.  
MEMBER OF THE PHILADELPHIA COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Joseph E. Toner, III (Republican), 3406 Morrell Avenue, Philadelphia 19114, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Philadelphia County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Ralph W. Holmes, Philadelphia, resigned.

**DICK THORNBURGH.**  
MEMBER OF THE SULLIVAN COUNTY  
BOARD OF ASSISTANCE

November 14, 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 Theodore T. Johnson (Republican), Prospect Avenue, P. O. Box 358, Eagles Mere 17731, Sullivan County, Twenty-third Senatorial District, for appointment as a member of the Sullivan County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified, vice Edith Rokus, Mildred, resigned.

**DICK THORNBURGH.**

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA  
COMMITTEE MEETINGS

TUESDAY, NOVEMBER 15, 1983

11:00 A.M.	BANKING AND INSURANCE (to consider Senate Bills 823, 956, 1084, 1085 and 1119)	Room 460, 4th Floor Conference Rm., North Wing
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 1079, 1080 and House Bill No. 1137)	Room 461, 4th Floor Conference Rm., North Wing
11:30 A.M.	EDUCATION (to consider Senate Bills No. 519, 928 and 960; House Bills No. 726 and 947)	Room 459, 4th Floor Conference Rm., North Wing
off the floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Rules Committee Conference Room

WEDNESDAY, NOVEMBER 16, 1983

9:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider the problems with Nursing Homes with regards to State regulations and reimbursement; Personal Care Boarding Homes and	Room 461, 4th Floor Conference Rm., North Wing
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their problems with State regulations and reimbursement)

9:30 A.M.	Joint Senate and House AGRICULTURE AND RURAL AFFAIRS Committees (to view the film "Pennsylvania Milk Story")	Senate Majority Caucus Room
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11:00 A.M.	Public Employee Retirement Study Commission <sup>1</sup>	Room 459, 4th Floor Conference Rm., North Wing
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THURSDAY, NOVEMBER 17, 1983

9:00 A.M.	Joint Legislative Air to and Water Pollution	Holiday Inn, Brookville
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4:30 P.M.	Control and Conservation Committee (Public Hearing to determine the extent of the State's surface mining reclamation needs)	
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3:00 P.M.	Independent Regulatory Review Commission (regulations to be discussed: PennDOT 18-170 - Messenger Services Dept. of Health 10-47 - Proposed General and Hospital Regulations Dept. of Health 10-48 - Birth Center Regulations PA State Police 17-46 - State Fire Marshal Law PHEAA 58-4- Act creating PHEAA and Student Guaranty Loan Program; Act granting scholarships Public School Employees Retirement System 43-1 - PSER Code Governor's Office of Administration and Budget 9-2 - Awards of Fees and Expenses)	Heritage Rm. A., 333 Market St.
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FRIDAY, NOVEMBER 18, 1983

9:00 A.M.	Joint Legislative Air to and Water Pollution	Sheraton Inn, Milesburg
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4:30 P.M.	Control and Conservation Committee (Public Hearing to determine the extent of the State's surface mining reclamation needs)	
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MONDAY, NOVEMBER 28, 1983

1:00 P.M.	Task Force on Act 195 (to consider Act No. 195)	Room 461, 4th Floor Conference Rm.,
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## North Wing

WEDNESDAY, NOVEMBER 30, 1983

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| 10:00 A.M. | JUDICIARY (Public hearing to receive testimony on merit selection and other related matters (Senate Bills No. 792, 831, 947 and 1100)) | Senate Majority<br>Caucus Room        |
| 3:00 P.M.  | Independent Regulatory Review Commission (to consider State Board of Education regulation 6-64, Curriculum Requirements Chapter 5)     | Heritage Rm. A.,<br>333 Market Street |

THURSDAY, DECEMBER 1, 1983

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| 1:00 P.M. | Independent Regulatory Review Commission | Heritage Rm. A.,<br>333 Market St. |
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TUESDAY, DECEMBER 6, 1983

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| 9:30 A.M. | ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1078) | Room 459,<br>4th Floor<br>Conference Rm.,<br>North Wing |
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WEDNESDAY, DECEMBER 7, 1983

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| 1:00 P.M. | CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 1081) | Senate Majority<br>Caucus Room |
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THURSDAY, DECEMBER 15, 1983

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| 3:00 P.M. | Independent Regulatory Review Commission | Heritage Rm. A.,<br>333 Market St. |
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**ADJOURNMENT**

Senator STAUFFER. Mr. President, I move that the Senate do now adjourn until Tuesday, November 15, 1983, at 1:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 4:45 p.m., Eastern Standard Time.