

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, MARCH 19, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 17

SENATE

MONDAY, March 19, 1984.

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

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

PRAYER

The Chaplain, the Reverend Mr. ROBERT A. GRAYBILL, Pastor of Neidig Memorial United Methodist Church, Oberlin, offered the following prayer:

May we pray.

Almighty God, the creator and sustainer of all our lives while we live here on this earth, enable us now as we pause in this moment to sense Your presence.

We open ourselves to the sustaining power and guiding wisdom of You, that as these men and women give of themselves, their efforts and their energies will not be in vain.

For indeed, O God, we pray for their responsibilities to their families, that as they share of themselves with their families, may they both be enriched.

We pray for their responsibility to their people, to the ones who have sent them here to guide and care for the well-being of so many.

We pray for their responsibility to this Commonwealth, that as they share, as they argue and as they compromise, may there be improvements made for all.

We pray for their responsibility to You, O God, the creator of all of them. Help them to sense in their difficult choices and their tough decisions in the business that is before them that, indeed, as they make those decisions and those choices, their actions may resemble Your goodness and Your love.

Enable all of them, Lord, as we pray this day to reach forward to You in hopes that with You and with them they can create a better place for each of us to be. We ask this in Thy name. Amen.

The PRESIDENT pro tempore. The Chair thanks the Reverend Mr. Graybill who is the guest this week of Senator Wilt.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of February 29, 1984.

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

LEGISLATIVE LEAVE

Senator JUBELIRER. Mr. President, I request a temporary legislative leave of absence for Senator Holl who has been meeting with constituents in his office in his district and is en route to Harrisburg.

Senator REIBMAN. Mr. President, I am not aware of any requests for leaves at this moment. However, I assume we will be able to return to the order of business regarding leaves if some should occur later.

The PRESIDENT pro tempore. I suspect that will happen, Senator. Is there objection to the granting of a Harrisburg leave to Senator Holl? I call the attention of the Members to the fact that this is the first such mention of such leave under our new Rules. The Chair hears no objection and the leave is granted.

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 COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

February 29, 1984.

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 Diana R. Rose, 1035 Devon Road, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1986, and until her successor has been appointed and qualified, vice Coral Scranton, Dalton, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE DENTAL
COUNCIL AND EXAMINING BOARD

February 29, 1984.

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 Dr. Robert A. Probst, 128 Pennsylvania Avenue East, Warren 16365, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the State Dental Council and Examining Board, to serve for a term of six years and until his successor shall have been appointed and qualified, vice Dr. Reuben E. V. Miller, Jr., Easton, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

February 29, 1984.

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 Charles R. Eshleman (Public Member), 54 West Sheridan Avenue, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, to fill a new position.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF PUBLIC WELFARE

February 29, 1984.

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. Antonelli, 2181 Garrick Drive, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Public Welfare, to serve until June 7, 1988, and until his successor is appointed and qualified, vice the Honorable Joseph V. Zord, Jr., Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE EMPLOYEES'
RETIREMENT BOARD

February 29, 1984.

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 the 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 HUNTINGDON COUNTY
BOARD OF ASSISTANCE

February 29, 1984.

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 W. Ruth Barner (Republican), R. D. 1, Huntingdon 16652, Huntingdon County, Thirtieth Senatorial District, for appointment as a member of the Huntingdon County Board of Assistance, to serve until December 31, 1984, and until her successor is duly appointed and qualified, vice Michael Raymond Miller, Huntingdon, resigned.

DICK THORNBURGH.

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

February 29, 1984.

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 Nevin I. Benner (Republican), Richfield 17086, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Juniata County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Horace R. Bacon, Port Royal, resigned.

DICK THORNBURGH.

MEMBER OF THE WESTMORELAND COUNTY
BOARD OF ASSISTANCE

February 29, 1984.

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 Dirk Matson (Republican), R. D. 1, Box 28, Ligonier 15658, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Westmoreland County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified, vice Dr. Robert A. Dannels, North Huntingdon, deceased.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF CHIROPRACTIC EXAMINERS

March 5, 1984.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James H. Haug, D.C., 512 North Montour Street, Montoursville 17754, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the State Board of Chiropractic Examiners, to serve until July 15, 1987, and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

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

March 5, 1984.

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 W. Mochnick, R. D. 1, Jeannette 15644, Westmoreland County, Thirty-ninth 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, vice William E. Sheridan, Clarion, whose term expired.

DICK THORNBURGH.

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

March 5, 1984.

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 Don L. Stroup, 110 North Fourth Avenue, 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, vice Mary C. O'Toole, Tionesta, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 T. Dorrance, Jr., 1543 Monk Road, Gladwyne 19035, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1985, and until his successor has been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 F. Otto Haas, Ph.D., 230 Morris Road, Ambler 19002, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1986, and until his successor has been appointed and qualified, vice Henry S. McNeil, Plymouth Meeting, deceased.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 C. William Lafe, 423 Winton Street, Pittsburgh, Allegheny County, Forty-second Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1985, and until his successor has been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 Lane, 932 South Aiken Street, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1986, and until his successor has been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 C. P. McGlenn, 729 Millbrook Lane, Haverford 19041, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1985, and until his successor has been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

March 5, 1984.

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 Wilver D. Stargell, 7232 Thomas Boulevard, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1986, and until his successor has been appointed and qualified, vice Cathryn L. Irvis, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
ASHLAND STATE GENERAL HOSPITAL

March 7, 1984.

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 J. Miller, Sr., R. D. 1, Catawissa 17820, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Ashland State General Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Francis J. Oakum, Mahanoy Plane, deceased.

DICK THORNBURGH.

MEMBER OF THE STATE CONSERVATION
COMMISSION

March 7, 1984.

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 R. Rossman (Urban), R. D. 3, Box 223, Ebensburg 15531, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 1986, and until his successor is appointed and qualified, vice Richard K. Walton, Berwick, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE CONSERVATION
COMMISSION

March 7, 1984.

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 George B. Wolff (Farmer), 486 Houtztown Road, Myerstown 17067, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 1987, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
HAMBURG CENTER

March 8, 1984.

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 June E. Piersons, 669 South Crescent Avenue, Hamburg 15526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1987, and until her successor is appointed and qualified, vice Betty Herman, Reading, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
SELINGSGROVE CENTER

March 8, 1984.

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 J. Fendt, 604 North Seventh Street, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Robert J. Webb, Shamokin Dam, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
SELINGSGROVE CENTER

March 8, 1984.

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 Stanley A. Madrak, 316 West Chestnut Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice William H. Decker, Middleburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
SELINGSGROVE CENTER

March 8, 1984.

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 Orlando C. Scopelliti, 1501 West Mulberry Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
SELINGSGROVE CENTER

March 8, 1984.

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 Ann I. Shadel, R. D. 1, Mount Pleasant Mills 17853, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
EBENSBURG CENTER

March 9, 1984.

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 Francis L. Sutton, 1018 Club Drive, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Frank M. Miller, Johnstown, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF
HARRISBURG STATE HOSPITAL

March 9, 1984.

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 First, 2410 Midland Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Miriam N. McDonel, Camp Hill, resigned.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF
HIGHER EDUCATION

March 9, 1984.

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 J. Jacobson, 2 Meadow Lark Lane, Woolrich 17779, Clinton County, Thirty-fourth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven 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.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 793, 1209, 1405, 1616 and 1617.**

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 committee indicated:

March 19, 1984

HB 1119 and 1856 — Committee on Local Government.

GENERAL COMMUNICATIONS BILLS INTRODUCED AND REFERRED

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

February 29, 1984

Senator GREENLEAF presented to the Chair **SB 1272**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, eliminating the processing fee for issuing and renewing registration of vehicles owned by certain disabled veterans, former prisoners of war and persons awarded the Congressional Medal of Honor.

Which was committed to the Committee on TRANSPORTATION, February 29, 1984.

Senator TILGHMAN presented to the Chair **SB 1273**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1984 to June 30, 1985, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1984 to June 30, 1985 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984.

Which was committed to the Committee on APPROPRIATIONS, February 29, 1984.

Senators SHAFFER, CORMAN, KELLEY and ANDREZESKI presented to the Chair **SB 1274**, entitled:

An Act amending the act of July 10, 1981 (P. L. 214, No. 67), entitled "Bingo Law," removing the prohibition against advertising.

Which was committed to the Committee on STATE GOVERNMENT, February 29, 1984.

Senators O'CONNELL, ZEMPRELLI, MELLOW, RHOADES, SCANLON, MUSTO, HELFRICK, ROSS,

STAPLETON, LLOYD, LINCOLN, FUMO, ROMANELLI, SINGEL, ROCKS, STOUT and BODACK presented to the Chair **SB 1275**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," redefining "regulation" and "retailer dispenser" and adding additional definitions; establishing the board as a fully independent board and expanding certain powers and duties; providing for the establishment of an autonomous independent enforcement commission and its powers and duties; increasing certain license fees and all filing fees; increasing certain discounts; restricting the granting of supersedeas in certain cases; increasing fines and penalties; making an appropriation for certain programs; and making repeals.

Which was committed to the Committee on LAW AND JUSTICE, February 29, 1984.

Senators RHOADES, ANDREZESKI, BRIGHTBILL, KUSSE, WENGER, SHUMAKER, HOPPER, O'CONNELL, STOUT, HELFRICK, SHAFFER, KELLEY, REIBMAN, WILT, CORMAN, LOEPER, O'PAKE, STREET, LINCOLN, MUSTO, ZEMPRELLI, MELLOW, EARLY, BODACK, PECORA, SINGEL, SCANLON, MOORE, KRATZER, SNYDER, LLOYD, STAPLETON and LEWIS presented to the Chair **SB 1276**, entitled:

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

Which was committed to the Committee on GAME AND FISHERIES, February 29, 1984.

March 5, 1984

Senator GREENLEAF presented to the Chair **SB 1277**, entitled:

An Act providing for the licensing of home inspection companies; and imposing powers and duties on the Secretary of Labor and Industry.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 5, 1984.

Senators SNYDER and KELLEY presented to the Chair **SB 1278**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for disciplinary procedures for State Police enlisted members.

Which was committed to the Committee on JUDICIARY, March 5, 1984.

Senators ROSS, STOUT, ANDREZESKI, HELFRICK, ROMANELLI, O'CONNELL and KELLEY presented to the Chair **SB 1279**, entitled:

An Act prohibiting false reports relating to certain disasters and to the operation of power generating facilities; and fixing penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 5, 1984.

Senators REIBMAN, ANDREZESKI and CORMAN presented to the Chair **SB 1280**, entitled:

An Act providing for the appointment of attorneys for minor or dependent children in divorce and custody proceedings.

Which was committed to the Committee on JUDICIARY, March 5, 1984.

Senators ROCKS, WILLIAMS, ROMANELLI, BODACK, STOUT, O'PAKE, SINGEL, LINCOLN, MELLOW, SCANLON, LLOYD and KELLEY presented to the Chair **SB 1281**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," establishing the State Unemployment Compensation Advisory Council; providing for its powers and duties; and making repeals.

Which was committed to the Committee on LABOR AND INDUSTRY, March 5, 1984.

Senators SHUMAKER, HELFRICK, O'CONNELL, HAGER, HOPPER and MOORE presented to the Chair **SB 1282**, entitled:

An Act making an appropriation to the Department of Environmental Resources for research relating to and the control of black flies.

Which was committed to the Committee on APPROPRIATIONS, March 5, 1984.

Senators WILT and WILLIAMS presented to the Chair **SB 1283**, entitled:

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," increasing the licensure period for hospitals.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 5, 1984.

Senators O'CONNELL, MELLOW, RHOADES, REIBMAN, MUSTO, SCANLON, SHUMAKER, LOEPER, CORMAN, HANKINS and STAPLETON presented to the Chair **SB 1284**, entitled:

An Act regulating the sale of shared use of real property and the exchange, operation, management, use and licensing concepts in real estate practice.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, March 5, 1984.

Senators O'CONNELL, HESS and BRIGHTBILL presented to the Chair **SB 1285**, entitled:

An Act amending the act of July 17, 1968 (P. L. 368, No. 181), entitled "Susquehanna River Basin Compact Law," authorizing the Susquehanna River Basin Commission to determine the rate of interest on bonds; and removing the interest-cost restriction on the sale of bonds by the commission.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 5, 1984.

Senators O'CONNELL and KELLEY presented to the Chair **SB 1286**, entitled:

An Act amending the act of July 10, 1981 (P. L. 214, No. 67), entitled "Bingo Law," limiting the locales and number of participatory associations for bingo games; and making an editorial change.

Which was committed to the Committee on STATE GOVERNMENT, March 5, 1984.

March 7, 1984

Senators O'CONNELL, LLOYD and REIBMAN presented to the Chair **SB 1287**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," providing limited public funding of certain Statewide elections; limiting certain contributions; imposing powers and duties on the Department of State; and providing penalties.

Which was committed to the Committee on STATE GOVERNMENT, March 7, 1984.

Senators O'CONNELL, SHUMAKER, SHAFFER, PECORA, ANDREZESKI, BRIGHTBILL and HELFRICK presented to the Chair **SB 1288**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, changing mental state and grading of endangering welfare of children; and creating an offense of child abuse.

Which was committed to the Committee on JUDICIARY, March 7, 1984.

Senators O'CONNELL, ANDREZESKI and KELLEY presented to the Chair **SB 1289**, entitled:

An Act amending the act of June 23, 1931 (P. L. 899, No. 299), entitled "Public Bathing Law," restricting the definition of public bathing place.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 7, 1984.

Senators O'PAKE, STAPLETON, LLOYD, LINCOLN, HELFRICK, ROMANELLI, SHAFFER, SINGEL, ROCKS, MELLOW, SHUMAKER, WENGER, FISHER, STOUT and ANDREZESKI presented to the Chair **SB 1290**, entitled:

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), entitled "The Controlled Substance, Drug, Device and Cosmetic Act," increasing certain penalties.

Which was committed to the Committee on JUDICIARY, March 7, 1984.

Senator HOLL presented to the Chair **SB 1291**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing ambulance corps, rescue squad members and paramedic registration plates.

Which was committed to the Committee on TRANSPORTATION, March 7, 1984.

March 8, 1984

Senators MOORE, BELL, HELFRICK, WENGER, STAPLETON, KRATZER, SHUMAKER, SINGEL and HOLL presented to the Chair **SB 1292**, entitled:

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), entitled "Volunteer Firemen's Relief Association Act," providing for the establishment of retirement income plans.

Which was committed to the Committee on FINANCE, March 8, 1984.

March 12, 1984

Senator HOLL presented to the Chair **SB 1293**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the seizure of suspended registration plates and registration cards; and providing for seizure of revoked and suspended drivers' licenses.

Which was committed to the Committee on TRANSPORTATION, March 12, 1984.

March 19, 1984

Senators REIBMAN, ANDREZESKI and LLOYD presented to the Chair **SB 1294**, entitled:

An Act providing for the establishment of the Legislative Audit and Budget Review Commission; imposing powers and duties; providing for employees; providing an appropriation; and making repeals.

Which was committed to the Committee on FINANCE, March 19, 1984.

RESOLUTIONS INTRODUCED AND REFERRED

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

February 29, 1984

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE THIRD-PARTY REAL ESTATE BROKERAGE ACTIVITY

Senator SHUMAKER offered the following resolution (**Senate Concurrent Resolution No. 107**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, February 29, 1984.

A CONCURRENT RESOLUTION

Directing the Joint State Government Commission to investigate third-party real estate brokerage activity.

WHEREAS, The issue of third-party real estate brokerage activity has given rise to complex public policy questions which should be considered by the General Assembly after study and deliberation; and

WHEREAS, The consumers of this Commonwealth will be materially affected by any resolution of this issue because of its relationship to the provision and availability of housing and housing financing; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly direct the Joint State Government Commission to organize a task force to undertake a study of the establishment of third-party brokerage operations by entities of a public or private nature and their holding companies, service corporations or subsidiaries and whether existing law and regulations affecting these entities adequately safeguard the interests of the citizens of the Commonwealth for available competitive housing financing; and be it further

RESOLVED, That the Secretary of Banking, the Commissioner of Professional and Occupational Affairs and the Chairman of the Pennsylvania Securities Commission shall meet with the task force in an advisory capacity and shall provide such assistance as may be requested by the task force; and be it further

RESOLVED, That the task force may hold such hearings within the Commonwealth of Pennsylvania as it deems necessary; and be it further

RESOLVED, That the task force shall report its findings and recommendations for legislation or administrative change within three months of its organizational meeting.

March 12, 1984

**ENCOURAGING THE ACCELERATION AND
IMPLEMENTATION OF A PROJECT BY
THE DEPARTMENT OF TRANSPORTATION
RELATING TO THE CONSOLIDATION
OF HIGHWAY DISTRICTS**

Senator O'CONNELL offered the following resolution (**Senate Resolution No. 108**), which was read and referred to the Committee on Transportation:

In the Senate, March 12, 1984.

A RESOLUTION

Encouraging the acceleration and implementation of a project by the Department of Transportation relating to the consolidation of highway districts.

WHEREAS, A preliminary study of the possible consolidation of neighboring counties into regional highway districts has indicated that consolidation would result in:

- (1) an effective use of resources;
- (2) an efficient utilization of workers and equipment;
- (3) better prices on goods and services provided under contract; and
- (4) increased quality and productivity; and

WHEREAS, it would be in the best interests of the citizens of this Commonwealth to implement a highway consolidation program in order to provide better highways at lower cost; therefore be it

RESOLVED, That the Senate encourage the acceleration and implementation of the study by the Department of Transportation relating to the consolidation of highway districts.

JOB TRAINING PARTNERSHIP ACT PLANS

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

**LUZERNE COUNTY HUMAN RESOURCES
DEVELOPMENT DEPARTMENT**

Job Training Partnership Act
Daniel J. Flood Skill Center
53 Blackman Street

Wilkes-Barre, Pennsylvania 18702-4299

February 27, 1984

Senator Henry G. Hager
President PRO TEM
Senate Post Office - Main Capitol
Harrisburg, Pennsylvania 17120

Dear Senator Hager:

As required under Section 105(a)(1) of the Job Training Partnership Act (JTPA), the Luzerne/Schuylkill Service Delivery Area administrative entity submits for your awareness and review a summary of its proposed 1984 JTPA Master, Adult and Youth, and Older Worker Annual Plan Sub-parts.

Where necessary, and upon your request, the SDA will make available complete copies of these, as well as any other, 1984 JTPA Annual Plan Sub-parts and/or modifications thereof for your review. Please advise accordingly.

Sincerely,

JAMES J. LOFTUS
Executive Director

The PRESIDENT pro tempore. This report will be filed in the Library.

**DELAWARE COUNTY OFFICE OF
EMPLOYMENT & TRAINING**

321 W. State Street
Media, Pennsylvania 19063

February 23, 1984

Honorable Henry G. Hager
President Pro Tem
Senate
State Capitol
Harrisburg, Pennsylvania 17120

Dear Mr. Hager:

Delaware County has submitted to the Pennsylvania Department of Labor and Industry the Jobs Training Partnership Act (JTPA) Title II-A Master Plan and Annual Plan. The Annual Plan is available for referral to appropriate agencies and institutions.

Very truly yours,
JOSEPH YANKOSKI
Executive Director

The PRESIDENT pro tempore. This report will be filed in the Library.

**DELAWARE COUNTY OFFICE OF
EMPLOYMENT & TRAINING**

321 W. State Street
Media, Pennsylvania 19063

February 23, 1984

Honorable Henry G. Hager
President Pro Tem
Senate
State Capitol
Harrisburg, PA 17120

Dear Mr. Hager:

Delaware County has submitted to the Pennsylvania Department of Labor and Industry the Jobs Training Partnership Act (JTPA) Title II-B Summer Youth Employment and Training Program (SYETP) for 1984. The Annual Plan is available for referral to appropriate agencies and institutions.

Very truly yours,
JOSEPH YANKOSKI
Executive Director

The PRESIDENT pro tempore. This report will be filed in the Library.

**PRIVATE INDUSTRY COUNCIL OF
WESTMORELAND/FAYETTE, INC.**

108 Courthouse Square
Greensburg, Pennsylvania 15601

February 28, 1984

Mr. Henry Hager
President Pro Tem
Senate Post Office

Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Hager:

This is to advise you that the Private Industry Council of Westmoreland/Fayette, Inc., has published the attached initial summary of its Job Training Plan for Fiscal Year 1985. I am sending you the summary for your review and comment per requirements of Section 105(a)(1) of the Job Training Partnership Act of 1982. You will receive a final summary of our Plan in mid-April for subsequent review.

Please forward any comments you wish to make at this time to me at the following address:

Carl J. Bartolomucci
Chief Administrative Officer
Private Industry Council of
Westmoreland/Fayette, Inc.
108 Courthouse Square
Greensburg, PA 15601
(412) 834-2191, Ext. 3454

Very truly yours,

CARL J. BARTOLOMUCCI
Chief Administrative Officer

The PRESIDENT pro tempore. This report will be filed in the Library.

**ANNUAL REPORT OF THE BOARD OF
DIRECTORS OF CITY TRUSTS OF THE
CITY OF PHILADELPHIA**

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

CITY OF PHILADELPHIA, TRUSTEE
BOARD OF DIRECTORS OF CITY TRUSTS
21 S. 12th Street
Philadelphia, Pa 19107

March 7, 1984

To the Chief Clerk
of the Pennsylvania State Senate
Harrisburg, Pa. 17000

Dear Sir:

As specifically provided in Clause XXIV, Item 3, of the Will of the late Stephen Girard, the Board of Directors of City Trusts acting for the City of Philadelphia renders herewith to the Legislature of the Commonwealth of Pennsylvania, a detailed account for the year 1983 of the Estate devised to the City of Philadelphia, in trust, and the investment and application of the same, and a report in like manner of the state of Girard College, copies of which have been rendered to the House of Representatives.

Information in the section of the report relative to the state of Girard College was furnished by the President of Girard College.

Very respectfully yours,

KENT L. ROBERTS
General Manager

The PRESIDENT pro tempore. This report will be filed in the Library.

**1984-1985 HIGHER EDUCATION
BUDGET RECOMMENDATIONS**

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

PENNSYLVANIA STATE BOARD OF EDUCATION
333 Market Street
Harrisburg, PA 17108

February 13, 1984

To the Honorables
The Members of the General Assembly
Commonwealth of Pennsylvania

Dear Members:

Act 224 of 1972 provides that the State Board of Education is to submit its recommendation of annual appropriations to institutions of higher education first to the Governor, before he submits his budget to you each year, and then to you.

A copy of the recommendation unanimously adopted on November 10, 1983, and submitted to Governor Thornburgh on November 14, 1983 is attached for your information and consideration.

Sincerely,

JEFFERY N. GROTSKY
Executive Secretary

The PRESIDENT pro tempore. This report will be filed in the Library.

AUDITOR GENERAL'S CERTIFICATE

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

COMMONWEALTH OF PENNSYLVANIA
Office of the Auditor General
Harrisburg 17120

March 1, 1984

The Honorable Henry G. Hager
President Pro Tempore of the Senate
Commonwealth of Pennsylvania
Room 292 Capitol
Harrisburg, PA 17120

Dear Senator Hager:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of the Commonwealth of Pennsylvania and Section 4 of the Capital Facilities Debt Enabling Act as amended, the Auditor General is required on or before each March 1 and September 1 to make a certification to the Governor and the General Assembly.

A duplicate original of my certificate is enclosed herewith.

Sincerely,

AL BENEDICT
Auditor General

AUDITOR GENERAL'S
CERTIFICATE

Pursuant to
ARTICLE VIII, Section 7(a)(4) and (c)
of the
CONSTITUTION OF PENNSYLVANIA
and the

Act of July 20, 1968, Act No. 217, as amended

To The Governor and The General Assembly:

I, AL BENEDICT, Auditor General of the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Constitution (Section 7(a)(4) and (c) and Section 4(a) of the Capital Facilities Debt Enabling Act (Act of July 20, 1968, P.L. 550 (Act No. 217) as amended by Section 3 of the Act of July 24, 1969, P.L. 183 (Act No. 75)) certify as follows:

	The average annual tax revenues deposited in all funds in the five fiscal years ended next preceding date of this certificate.....	\$8,384,703,399.00
(i)	The amount of the outstanding net debt as of the end of preceding fiscal year.....	\$3,851,206,000.00
(ii)	The amount of such net debt as of the date of this certificate.....	\$3,678,553,000.00
(iii)	The difference between the limitation upon all net debt outstanding as provided in Article VIII, Section 7(a)(4) of the Constitution of Pennsylvania and the amount of such net debt as of the date of this certificate.....	\$10,994,677,948.00
(iv)	The amount of such debt scheduled to be repaid during the remainder of the current fiscal year.....	\$34,015,000.00
(v)	The amount of debt authorized by law to be issued, but not yet incurred.....	\$1,360,240,368.00
(vi)	The amount of outstanding obligations excluded from outstanding debt as self sustaining pursuant to Article VIII, Section 7(c) (1), (2) and (3) of the Constitution of Pennsylvania.....	\$584,649,000.00

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Auditor General, this 1st day of March, 1984.

AL BENEDICT
Auditor General
Commonwealth of Pennsylvania

**REPORT FROM THE JOINT STATE
GOVERNMENT COMMISSION**

**INSTRUCTIONAL OUTPUT AND FACULTY
SALARY COSTS OF THE STATE-RELATED
AND STATE-OWNED UNIVERSITIES**

The PRESIDENT pro tempore. The Chair lays before the Senate the report from the Joint State Government Commission on Instructional Output and Faculty Salary Costs of the State-Related and State-Owned Universities.

This report will be filed in the Library.

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 503**

The PRESIDENT pro tempore. The Chair announces the appointment of Senators CORMAN, SHUMAKER and STOUT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 503.

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

APPOINTMENTS BY MINORITY LEADER

The PRESIDENT pro tempore. We will now read across the desk appointments by the Minority Leader:

Senator Zemprelli has appointed Senator Eugene Scanlon, Senator Michael A. O'Pake and Senator Freeman Hankins to serve on the Special Task Force to codify the State's Insurance Laws.

BILLS SIGNED

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

HB 128, 793, 1209, 1405, 1616 and 1617.

REPORTS FROM COMMITTEES

Senator TILGHMAN, from the Committee on Appropriations, reported the following bills:

SB 67 (Pr. No. 1804) (Amended) (Rereported)

An Act requiring a ban on the distribution, sale and use of halogenated hydrocarbon chemicals and aromatic hydrocarbon chemicals as sewage system cleaners; requiring the disclosure of contents of sewage system cleaners; requiring the Department of Environmental Resources to administer and enforce certain provisions; and establishing penalties.

SB 1200 (Pr. No. 1767) (Rereported)

An Act amending the act of January 22, 1968 (P. L. 42, No. 8), entitled, as amended, "Pennsylvania Urban Mass Transportation Law," rewording definitions; increasing the level of loss reimbursement; and further providing for State appropriation for subsidies for local transportation organizations or companies.

Senator WILT, from the Committee on Public Health and Welfare, reported the following bills:

SB 1172 (Pr. No. 1567)

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," permitting health care facilities to board an animal in certain cases.

HB 539 (Pr. No. 1899)

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for early inspection and licensing at the option of personal care boarding homes; and further providing for costs for county and non-public nursing facilities.

BILLS IN PLACE

Senator BELL presented to the Chair several bills.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

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

In the Senate, March 19, 1984.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 26, 1984 unless sooner recalled by the President Pro Tempore and when the House of Representatives adjourns this week it reconvene on Monday, March 26, 1984 unless sooner recalled by the Speaker.

Senator JUBELIRER 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 JUBELIRER. 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 required by Senator JUBELIRER and were as follows, viz:

YEAS—45

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

NAYS—0

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

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

RECESS

Senator JUBELIRER. Mr. President, at this time I request a recess of the Senate. First, I ask all Members of the Committee on Rules and Executive Nominations to report immediately to the Rules Committee room at the rear of the Senate Chamber for a brief meeting of that committee. Immediately following that committee meeting, Mr. President, on behalf of Senator Tilghman, I request that the Committee on Appropriations meet in the same Rules Committee room for a brief meeting of that committee. Then, Mr. President, I ask all Republican Members of the Senate to report to the first floor caucus room at approximately 3:15 p.m. My expectation, Mr. President, is that we will return to the floor at approximately 4:30 p.m.

Senator ZEMPRELLI. Mr. President, I believe the Majority Leader's assessment of the time requirements are probably as close as they can be. I ask the Democratic caucus to also meet at 3:15 p.m., after the conclusion of the meetings of the Committee on Rules and Executive Nominations and the Committee on Appropriations.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Rules and Executive Nominations which will take place immediately in the Rules Committee room at the rear of the Chamber, for the further purpose of a meeting of the Committee on Appropriations to take place immediately following the meeting of the Committee on Rules and Executive Nominations, also in the Rules Committee room, and for the further purpose of caucuses to take place in the respective caucus rooms at 3:15 p.m., the Senate is now in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

Senator SCANLON. Mr. President, I request a temporary legislative leave of absence for the balance of the afternoon for Senator Williams who had to return to his district to attend a meeting relative to the new Juvenile Community Services Program which allows youth involved in nonviolent crimes to work and earn money to repay their victims.

The PRESIDENT pro tempore. Is there objection to the granting of a legislative leave for the balance of today's Session? The Chair hears none and the leave is granted.

LEAVES OF ABSENCE

Senator SCANLON asked and obtained leaves of absence for Senators FUMO, LYNCH and KELLEY, for today's Session, for personal reasons.

LEGISLATIVE LEAVE CANCELLED

Senator JUBELIRER. Mr. President, I would like the record to note the presence of Senator Holl on the floor and I ask that his temporary legislative leave of absence, his Harrisburg leave, be cancelled.

The PRESIDENT pro tempore. The Chair sees the gentleman and will now terminate his temporary legislative leave of absence.

HB 224 TAKEN FROM THE TABLE

Senator JUBELIRER. Mr. President, I move that House Bill No. 224, Printer's No. 1649, be taken from the table and placed on the Calendar.

The motion was agreed to.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 712, 713 and 714 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

SB 717 (Pr. No. 1775) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 1921 (P. L. 579, No. 262), entitled, as reenacted and amended, "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth, fifth classes and in certain counties of the sixth, seventh and eighth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," deleting the judge of the court of common pleas and the district attorney from the board of inspectors of the jail or county prison; and making a repeal.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator JUBELIRER, on behalf of Senator O'CONNELL, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 15, by striking out "AND MAKING A REPEAL"

Amend Sec. 2, page 2, lines 25 through 27, by striking out all of said lines

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting: 2

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 O'CONNELL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 952 (Pr. No. 1695) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," providing for an increase in individual ceilings for allowable net operating costs for intermediate care facilities; and making appropriations.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 5, by inserting after "facilities:"

granting a tax credit to certain business firms who contribute to neighborhood organizations or who engage in activities which tend to upgrade impoverished areas; providing tax credits for business firms for contributions to the Homeowner's Emergency Mortgage Assistance Fund;

Amend Title, page 1, line 5, by removing the period after "APPROPRIATIONS" and inserting: and repeals.

Amend Bill, page 2, by inserting between lines 21 and 22:

Section 2. The act is amended by adding an article to read:

ARTICLE XIV-A

NEIGHBORHOOD ASSISTANCE

Section 1401-A. Definitions.—As used in this article:

"Business firm" means any business entity authorized to do business in this Commonwealth and subject to the Corporate Net Income or a bank, bank and trust company, insurance company, trust company, national bank, savings association, mutual savings bank or building and loan association.

"Community services" means any type of counselling and advice, emergency assistance or medical care furnished to individuals or groups in an impoverished area.

"Crime prevention" means any activity which aids in the reduction of crime in an impoverished area.

"Education" means any type of scholastic instruction or scholarship assistance to an individual who resides in an impoverished area that enables him to prepare himself for better life opportunities.

"Impoverished area" means any area in Pennsylvania which is certified as such by the Department of Community Affairs and the certification is approved by the Governor. Such certification shall be made on the basis of Federal census studies and current indices of social and economic conditions.

"Job training" means any type of instruction to an individual who resides in an impoverished area that enables him to acquire vocational skills so that he can become employable or be able to seek a higher grade of employment.

"Neighborhood assistance" means furnishing financial assistance, labor, material and technical advice to aid in the physical improvement of any part or all of an impoverished area.

“Neighborhood organization” means any organization performing community services, offering neighborhood assistance or providing job training, education or crime prevention in an impoverished area and holding a ruling from the Internal Revenue Service of the United States Department of Treasury that the organization is exempt from income taxation under the provisions of the Internal Revenue Code.

Section 1402-A. Public Policy.—(a) It is hereby declared to be public policy of the Commonwealth to encourage investment by business firms in offering neighborhood assistance and providing job training, education, crime prevention and community services and to encourage contributions by business firms to neighborhood organizations which offer and provide such assistance and services.

(b) It is further declared to be the public policy of the Commonwealth to encourage contributions by business firms to the Homeowner's Emergency Mortgage Assistance Fund created in section 408-C of the act of December 3, 1959 (P.L.1688, No.621), known as the “Housing Finance Agency Law.”

Section 1403-A. Contributions to Neighborhood Organizations.—(a) Any business firm which engages or contributes to a neighborhood organization which engages in the activities of providing neighborhood assistance, job training or education for individuals, community services or crime prevention in an impoverished area shall receive a tax credit as provided in section 1404-A if the Secretary of Community Affairs annually approves the proposal of such business firm. The proposal shall set forth the program to be conducted, the impoverished area selected, the estimated amount to be invested in the program and the plans for implementing the program. The Secretary of Community Affairs may promulgate rules and regulations for the approval or disapproval of such proposals by business firms. The total amount of tax credit granted for programs approved under this section shall not exceed eight million seven hundred fifty thousand dollars (\$8,750,000) of tax course of business. Any tax credit not used in the period the investment was made may be carried over for the next five succeeding calendar or fiscal years until the full credit has been allowed. The total amount of all tax credits allowed pursuant to this section shall not exceed eight million seven hundred fifty thousand dollars (\$8,750,000) in any one fiscal year.

(b) The decision of the Secretary of Community Affairs to approve or disapprove a proposal pursuant to subsection (a) shall be in writing, and if it approves the proposal, it shall state the maximum credit allowable to the business firm. A copy of the decision of the Secretary of Community Affairs shall be transmitted to the Secretary of Revenue and to the Governor.

Section 1404-A. Tax Credits.—The Department of Revenue shall grant a tax credit against any tax due under Article IV of the act of March 4, 1971 (P.L.6, No.2), known as the “Tax Reform Code of 1971,” or against any tax due from a bank, bank and trust company, trust company, insurance company, other than a foreign fire or casualty insurance company, national bank, savings association, mutual savings bank or building and loan association, under Article VII, Article VIII or Article IX of the act of March 4, 1971 (P.L.6, No.2), or the act of June 22, 1964 (P.L.16, No.2), known as “The Mutual Thrift Institutions Tax Act” or any tax substituted in lieu thereof in an amount which shall not exceed fifty percent of the total amount invested during the taxable year by the business firm in programs approved pursuant to section 1403-A. A tax credit of up to seventy percent may be allowed for investment in programs where activities fall within the scope of special program priorities as defined with the approval of the Governor in regulations promulgated by the Secretary of Community Affairs. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred fifty thousand dollars (\$250,000) annually provided that no tax credit

shall be granted to any bank, bank and trust company, insurance company, trust company, national bank, savings association, mutual savings bank or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the investment was made may be carried over for the next five succeeding calendar or fiscal years until the full credit has been allowed. The total amount of all tax credits allowed pursuant to this article shall not exceed eight million seven hundred fifty thousand dollars (\$8,750,000) in any one fiscal year.

Section 1405-A. Assistance Fund.—Any business firm which contributes to the Homeowner's Emergency Mortgage Assistance Fund shall receive a tax credit as provided in section 1406-A. The total amount of tax credits granted under this section for the first fiscal year shall not exceed fifteen million dollars (\$15,000,000) nor shall the total amount of tax credits granted for fiscal years 1984-1985, 1985-1986 or 1986-1987 exceed fifteen million dollars (\$15,000,000) in any fiscal year.

Section 1406-A. Further Credits.—The Department of Revenue shall grant a tax credit against any tax due under Articles IV, VII, VIII, XV and XVI of the act of March 4, 1971 (P.L.6, No.2), known as the “Tax Reform Code of 1971,” or against any tax due under Article IX of the Tax Reform Code of 1971 from an insurance company other than a foreign fire or casualty insurance company. A tax credit of seventy percent of contributions made to the Homeowner's Emergency Mortgage Assistance Fund shall be allowed. Contributions to the Homeowner's Emergency Mortgage Assistance Fund and any tax credit pursuant thereto not used in the period in which the contribution was made may be carried over for the next five succeeding calendar or fiscal years until the full credit has been allowed; provided that the total amount of all tax credits allowed pursuant to this section shall not exceed the limitations provided for in section 1405-A. The Department of Revenue may provide for proportional credits in the event that total credits exceed fifteen million dollars (\$15,000,000) in any fiscal year.

Amend Sec. 2, page 2, line 22, by striking out “2” and inserting: 3

Amend Bill, page 3, line 6, by striking out all of said line and inserting:

Section 4. The sum of \$5,000,000 is appropriated to the Homeowner's Emergency Mortgage Assistance Fund, for the fiscal year 1983-1984.

Section 5. (a) Section 410-C(a), (b), (c) and (d) of the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, are repealed.

(b) The act of November 29, 1967 (P.L.636, No.292), known as the Neighborhood Assistance Act, is repealed.

Section 6. (a) The amendment to section 443.1 shall take effect immediately.

(b) Article XIV-A shall take effect immediately and shall be retroactive to and include December 23, 1983.

On the question,

Will the Senate agree to the amendment?

Senator ROCKS. Mr. President, this amendment to Senate Bill No. 952, a bill I assure the Members that the Democratic caucus is strongly in support of and hopes finds its way toward passage in this Chamber, handles two topics that have, only by the convoluted process of state government, become interrelated. The amendment would cope with the question of the Neighborhood Assistance Act and provide for the removing of the cap that we had, in fact, imposed as we had passed the funding provisions of House Bill No. 500, or

the Mortgage Assistance Act. Additionally, this amendment would also provide \$5 million of General Fund revenues to see that the Mortgage Assistance Act in this fiscal year would be properly funded for those unemployed persons who are faced with the serious problem of foreclosure.

Senator JUBELIRER. Just very briefly, Mr. President, I was someone who was involved in the mortgage foreclosure solution which was a very delicate bipartisan effort to come to a solution. I am not sure at this point whether we know just how, if at all, there is going to be a need for a new funding mechanism. I see where the Secretary of the Department of Community Affairs has released their freeze on certain projects.

I have another concern, Mr. President. I have a concern that if an amendment would go in Senate Bill No. 952, there are many of us on this side of the aisle as well who strongly support the increased funding for the nursing homes. I would see an amendment significantly slowing down the process by which Senate Bill No. 952 could possibly become law. I see, perhaps, it even being fatal. For those reasons I would request a "no" vote on the amendment of the gentleman from Philadelphia, Senator Rocks. I think there would be ample opportunity, if necessary, to deal with the funding, either on another bill or at another time or in a clean bill, particularly when we have some idea of whether, in fact, this is going to be necessary, but more particularly, Mr. President, so that Senate Bill No. 952 can be speedily sent to the House and eventually to the Governor's desk.

Senator SHUMAKER. Mr. President, Senate Bill No. 952 has thirty-nine sponsors on it. It is a bipartisan measure and it has never been involved in partisan politics. I think it is for one of the most needed projects in the state. I think it will direct a clear signal to these people that we are supportive of their efforts to give them the money they need to continue in these nursing homes. I know that some of them, particularly some of the county homes, are suffering such losses that they will have to increase their local millage if we do not do something about this bill and do something immediately. I am sorry to see an attempt to put amendments on here. Without going into the merits of the amendments, I do not think there should be any attempt to delay this bill by putting amendments on it which could possibly kill the bill in the House. We should pass this bill as it is and I hope that every Member here would vote against these amendments and we will take them up at another time when maybe even I could be for them, but at this time I wish the bill would go as it is without any amendments.

Senator SINGEL. Mr. President, as one who has suggested a number of different ways to address the funding deficiencies in the newly enacted Mortgage Foreclosure Assistance program, I welcome the comments from some of my colleagues on the other side of the aisle who say they might be willing to entertain some new method to make sure it is solvent. In fact, I will be introducing today a bill to address that very situation and I am hoping that receives speedy support. To those of my colleagues who would say that it is

inappropriate to offer the amendment at this time or that somehow it is going to jeopardize the passage of Senate Bill No. 952, nothing could be further from the truth. This side of the aisle has always been supportive of Senate Bill No. 952 and about fully funding the services in the intermediate care services in our nursing homes. This side of the aisle has always been supportive of practical and permanent funding for the Mortgage Foreclosure Assistance program. We cannot escape the reality that what we have here, gentlemen and lady, is an opportunity to solve three very serious problems all at once.

We have the opportunity right here and now to address the critical problem of the nursing cuts. We have the opportunity right here to restore the Neighborhood Assistance Tax Credit program to the level that it deserves to be restored. Most importantly, from my perspective, we have the opportunity to provide an immediate \$5 million in additional monies to make sure that the Mortgage Foreclosure Assistance program gets off to a fair start.

I am somewhat surprised to hear someone argue that the need is unclear or the funding requirements are unclear. When this bill was first argued in December, it was made known that approximately 4,000 homeowners across the state were in imminent danger of losing their homes while the Executive Director of the Pennsylvania Housing Finance Agency now says that the number is closer to 9,000. He also says that there are probably between 14,000 and 24,000 households who are delinquent by more than sixty days on their mortgage payment. What we are asking here is simply that we provide an additional \$5 million funding right now, not two weeks from now when we may or may not get around to another bill, not down the road when we see if the program is successful or unsuccessful, but right now when it is sorely needed to set the administrative machinery in motion and when they could most utilize the money that is necessary.

I suggest, Mr. President, that to vote against this amendment, for whatever reasons are concocted, is simply shirking our responsibilities to provide full funding for the Neighborhood Assistance Tax Credit program and for the Mortgage Foreclosure Assistance program. Let us not kid each other. Let us not kid our constituencies. We have the opportunity to fully fund those programs tonight. Let us take that opportunity.

Senator BELL. Mr. President, I heard the gentleman say he was surprised. I have been here a long time. I do not get surprised at whatever happens in this Chamber. Maybe the gentleman would be surprised to know that on Thursday when Shirley Dennis, the Secretary of Community Affairs, appeared in front of the Committee on Appropriations, none of his Democratic colleagues bothered to attend the hearings of the Committee on Appropriations. At that time we did discuss this problem and at that time Shirley Dennis said "we are going to rip and raid the Lottery Fund." I told her to keep her hands off the Lottery Fund.

I have a solution and my solution is that this is not going to require \$5 million, it is going to require a lot more than \$5 million. We should go about it with bonds, the same as the

Pennsylvania Housing Finance Agency does. This is why we have committees and this is why we had a committee meeting on Thursday which the gentleman's colleagues did not attend.

Again I say I cannot be surprised anymore. You know, it is funny, if you are for something, you have a white hat. If you are against something, you have a black hat. I do not think the people of Pennsylvania are fooled on that. They realize we have committees. They realize this problem is going to come to a head in about a month or six weeks. There is time to come up with a logical approach and my logical approach is bonds. I was not very well satisfied with Mrs. Dennis' story that this is only a loan from the Lottery Fund and it will be paid back five years from now. I told her that if she was as old as I am, I might not be around five years from now. This is why we use bonds. It is a long-term obligation to take over. These mortgages are not maturing in one day. They have a life and it is a capital investment. If we can use bonds to finance the Pennsylvania Housing Finance Agency, we can use bonds for this and we can use the current revenues to meet the problems of our schools and others that do not qualify for bond use.

Senator LLOYD. Mr. President, I hope my colleagues in the Senate would support the amendment that is before us. The amendment which is under discussion affords us an opportunity to help solve three significant problems with one legislative stroke. Senate Bill No. 952, of course, addresses the substantial financial crunch that many of the nursing homes across the Commonwealth are facing. Ultimately, the elderly in those nursing homes will feel the pressures in terms of health care which is associated with the financial problems that we have seen arise as a result of changing the manner in which we categorize different patients in those nursing homes. Additionally, the amendment before us will restore the Neighborhood Assistance Act legislatively, not via regulation or administrative mandate, but legislatively restore the Neighborhood Assistance Act to the levels that are necessary for the Act and those who participate under it to be brought to financial health.

Finally, as was clearly outlined by both the gentleman from Philadelphia, Senator Rocks, and the gentleman from Cambria, Senator Singel, the Mortgage Foreclosure program requires additional funding at this time. That funding is properly contained in the amendment that is before us.

Mr. President, I hope those of us in the Senate would not turn our backs on these problems that are before us, but, rather, take the offensive, provide a legislative remedy and do everything in our power to usher this legislation through the General Assembly so we can move on to dealing with other pressing problems and take advantage of a rare legislative vehicle that will deal with three problems in one shot.

Mr. President, I urge an affirmative vote on the amendment before us.

The PRESIDING OFFICER (Edwin G. Holl) in the Chair.

Senator ROCKS. Mr. President, the gentleman from Delaware, Senator Bell, mentioned here the element of surprise. I would like to comment about surprise because I am more than surprised at the excuse given here today in opposition to this amendment by the Majority Leader.

Mr. President, this bill was gone over two and one half weeks ago in this Senate Chamber and moved to delay its passage by a straight party line vote. I think it behooves us, with this amendment in front of us, to get a little bit of the history of this amendment and some of the facts of the provisions that are provided in the amendment squarely in front of us. The Neighborhood Assistance funding that was accepted as a last minute compromise as a provision to fund the Mortgage Assistance Act, in fact, failed to provide adequate funding to those unemployed persons who we hoped to save from the horror of losing their homes.

A long time ago, Mr. President, with 190 votes, the House of Representatives passed a bill which would have solved this problem. It was called House Bill No. 1836. When the Majority Leader of this Senate talks about other legislative provisions that might deal with this problem, that legislation has been in this Senate and it has been stopped by a Republican controlled committee and that leader knows this amendment is in front of us because House Bill No. 1836 has been held up by his committee in the Senate. There would be no need for this amendment today if that bill, in fact, found its way through a committee and onto this floor. The strongest possible indication of intent from the Democrats in the Senate supporting Senate Bill No. 952 has been displayed here and continues to be advocated today. I stand, along with every Democratic Senator, strongly in favor of the final passage of this bill, but it is important to know that we are dealing with a little bit of convoluted history here when it comes to the addressing of this amendment. This amendment could go away.

We need to address the problem of Neighborhood Assistance funding and we need to address the problem of funding the Mortgage Assistance Act. This amendment solves both of those dilemmas and they are serious problems for a very large constituency across the State of Pennsylvania. We anxiously await the final vote on Senate Bill No. 952, but find it just as imperative to address two very serious issues with the amendment that now stands before this Senate, to raise the cap for Neighborhood Assistance funding to \$8.75 million and to provide from lapsed funds that are documented and available in this state \$5 million of General Fund money to see this year's funding complete for Mortgage Assistance in Pennsylvania. We have, since the beginning of our advocating a Mortgage Assistance Act for unemployed Pennsylvanians, been committed to its funding. We stand consistent today in trying to provide necessary dollars to the very valuable Neighborhood Assistance Act, to our corporate community, to our banking community, to the Catholic Conference and their social network and to the Jewish Federation and their network of social agencies who need this Act to continue to ensure the tax credit proposals they have for Neighborhood Assistance. At the same time, we would play a horrible ploy on unemployed persons who could lose their homes without the \$5 million provision also responsibly included in this amendment if we do not properly fund Mortgage Assistance. We have that clear responsibility and with the vote in front of

us right now, can solve those two problems and then, as we are most anxious on the Democratic side of the aisle and have been for a number of long weeks in this Chamber, finally pass the desperately needed money for our nursing homes in this state.

I urge us to face squarely the amendment in front of us, to solve the Neighborhood Assistance funding dilemma, to properly fund the Mortgage Assistance Act with \$5 million that are documented to be available and to then move on to the final passage of the much needed Senate Bill No. 952.

Mr. President, I thank you for this kind of time in explaining what might have been a complicated amendment and assure the Members that I only stand surprised to hear the Majority Leader explain that there is no need for this amendment, that, in fact, it could move through some other legislative channel, when that opportunity has been clearly in front of this Senate and has been stopped by the Committee on Finance of the Senate of Pennsylvania. This is our opportunity to solve the problem with the passage of this amendment.

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

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

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

Senator SHAFFER: 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 ROCKS and were as follows, viz:

YEAS—23

Andrezeski	Lloyd	Rocks	Stapleton
Bodack	Mellow	Romanelli	Stout
Early	Musto	Ross	Street
Hankins	O'Pake	Scanlon	Williams
Lewis	Pecora	Shaffer	Zemprelli
Lincoln	Rhoades	Singel	

NAYS—23

Bell	Helfrick	Kratzer	Snyder
Brightbill	Hess	Kusse	Stauffer
Corman	Holl	Loeper	Tilghman
Fisher	Hopper	Moore	Wenger
Greenleaf	Howard	Reibman	Wilt
Hager	Jubelirer	Shumaker	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

RECONSIDERATION OF AMENDMENT TO SB 952

Senator LLOYD. Mr. President, I move to reconsider the vote by which the amendment offered to Senate Bill 952 was just defeated.

The motion was agreed to.

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

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

YEAS—22

Andrezeski	Lloyd	Romanelli	Stapleton
Bodack	Mellow	Ross	Stout
Early	Musto	Scanlon	Street
Hankins	O'Pake	Shaffer	Williams
Lewis	Pecora	Singel	Zemprelli
Lincoln	Rocks		

NAYS—24

Bell	Helfrick	Kratzer	Shumaker
Brightbill	Hess	Kusse	Snyder
Corman	Holl	Loeper	Stauffer
Fisher	Hopper	Moore	Tilghman
Greenleaf	Howard	Reibman	Wenger
Hager	Jubelirer	Rhoades	Wilt

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

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

It was agreed to.

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

On the question,
Shall the bill pass finally?

Senator LINCOLN. Mr. President, I rise to speak in favor of Senate Bill No. 952. It is a piece of legislation that is very desperately needed throughout this Commonwealth. It is a piece of legislation that had an incredible amount of bipartisan support in sponsorship and, unfortunately, became the center of a political controversy prior to its getting to the point that it is today. I think it is unfortunate we allow ourselves to get to the point that we have to fight to pass a good piece of legislation such as we have before us today. If we do not do something for the nursing homes that this bill affects, in the very near future the quality of care in our nursing homes is going to be diminished to some extent and, unfortunately, we would have some of the homes that would be affected by this closing. I urge the vote on this bill to be a positive vote, and I think it would be a very important factor in sending this to the House with a unanimous vote in favor of this bill, and I do urge that.

And the question recurring,
Shall the bill pass finally?

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

YEAS—46

Andrezeski	Holl	Musto	Singel
Bell	Hopper	O'Pake	Snyder
Bodack	Howard	Pecora	Stapleton
Brightbill	Jubelirer	Reibman	Stauffer
Corman	Kratzer	Rhoades	Stout
Early	Kusse	Rocks	Street
Fisher	Lewis	Romanelli	Tilghman
Greenleaf	Lincoln	Ross	Wenger

Hager	Lloyd	Scanlon	Williams
Hankins	Loeper	Shaffer	Wilt
Helfrick	Mellow	Shumaker	Zemprelli
Hess	Moore		

NAYS—0

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

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

LEAVE OF ABSENCE

Senator JUBELIRER asked and obtained leave of absence for Senator O'CONNELL, for the remainder of today's Session, for personal reasons.

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 1032 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

SB 1231 (Pr. No. 1728) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the fees to be charged and received by sheriffs.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Table of Contents, page 2, line 4, by striking out all of said line

Amend Table of Contents, page 2, line 5, by striking out "20" and inserting: 19

Amend Table of Contents, page 2, line 6, by striking out "21" and inserting: 20

Amend Table of Contents, page 2, line 7, by striking out "22" and inserting: 21

Amend Sec. 19, page 12, lines 3 through 9, by striking out all of said lines

Amend Sec. 20, page 12, line 10, by striking out "20" and inserting: 19

Amend Sec. 21, page 12, line 18, by striking out "21" and inserting: 20

Amend Sec. 22, page 12, line 25, by striking out "22" and inserting: 21

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 CORMAN.

LEAVE OF ABSENCE

Senator ZEMPRELLI asked and obtained leave of absence for Senator O'PAKE, for the remainder of today's Session, for personal reasons.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AMENDED

SB 1239 (Pr. No. 1689) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining hazardous material; providing for the effect of amendments to Federal regulations; repealing the penalty for violating Federal law when driving a vehicle; providing for the transportation of hazardous materials; and making a repeal.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

FISHER AMENDMENT I OFFERED

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

Amend Sec. 1 (Sec. 102), page 2, line 3, by striking out "refrigerated liquid" and inserting: cryogenic

Amend Bill, page 9, by inserting between lines 11 and 12:

Section 3. All rules and regulations promulgated by the Hazardous Substance Transportation Board heretofore shall remain in full force and effect until amended or repealed by the Secretary of Transportation.

Amend Sec. 3, page 9, line 12, by striking out "3" and inserting: 4

Amend Sec. 4, page 9, line 15, by striking out "4" and inserting: 5

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

RECONSIDERATION OF AMENDMENT
TO SB 1239

Senator FISHER. Mr. President, I move to reconsider the vote by which the amendment offered to Senate Bill No. 1239 was agreed to.

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

FISHER AMENDMENT I WITHDRAWN

Senator FISHER. Mr. President, I wish to withdraw the amendment.

And the question recurring,

Will the Senate agree to the bill on third consideration?

FISHER AMENDMENT II

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

Amend Sec. 3 (Sec. 7906), page 6, line 27, by striking out "\$10,000" and inserting: \$5,000

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

FISHER AMENDMENT III

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

Amend Sec. 2 (Sec. 4522), page 2, line 19, by inserting after "modified": by the Federal agency

Amend Sec. 2 (Sec. 4522), page 2, line 19, by striking out "shall" and inserting: may

Amend Sec. 2 (Sec. 4522), page 2, line 20, by striking out "deemed to be"

Amend Sec. 2 (Sec. 4522), page 2, line 20, by striking out "department" where it appears the last time and inserting: secretary

Amend Sec. 2 (Sec. 4522), page 2, lines 22 and 23, by striking out: ", but within 60 days the department shall submit all" and inserting: and promulgates the amendments or modifications as provided in the act of July 31, 1968 (P.L. 769, No. 240), referred to as the Commonwealth Documents Law, and submits

Amend Sec. 2 (Sec. 4522), page 2, line 25, by striking out "as required by" and inserting: for review pursuant to

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 FISHER.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE

AS AMENDED OVER IN ORDER

SB 1085 — Without objection, the bill was passed over in its order at the request of Senator MOORE.

BILL REREFERRED

HB 58 (Pr. No. 2544) — The Senate proceeded to consideration of the bill, entitled:

An Act creating the Pennsylvania Adoption Cooperative Exchange; prescribing responsibilities; requiring certain agencies to cooperate with the exchange; and providing for regulations and staff.

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

BILL OVER IN ORDER

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

BILL ON SECOND CONSIDERATION AMENDED

SB 277 (Pr. No. 1571) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further limiting suspension of license for certain activities.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MOORE, on behalf of Senator O'CONNELL, offered the following amendment:

Amend Title, page 1, lines 2 and 3, by striking out "limiting suspension of license for certain activities." and inserting: providing for notice by the department.

Amend Sec. 1 (Sec. 1538), page 1, lines 11 through 18; page 2, lines 1 through 7, by striking out all of said lines on said pages and inserting:

(e) Notice requirement.—When the department requires a person to attend an approved driver improvement school, undergo a special examination or attend a departmental hearing under this section, the department shall send a notice to the person that he must comply with the requirement within 60 days. If the person fails to comply within 60 days, the department shall send a second notice giving the person an additional 30 days to comply. The second notice shall be sent by registered mail. Cost of this mailing will be imposed on the person. A person serving in the military outside the Commonwealth shall be given a one year grace period to comply with the department's requirement, if he provides the department with a notarized affidavit confirming that he is serving in the military outside the Commonwealth. To avoid suspension, he shall send the affidavit to the department within 60 days of receiving its notice.

Amend Sec. 2, page 2, line 8, by striking out all of said line

Amend Sec. 3, page 2, line 9, by striking out "3" and inserting:

2

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 MOORE.

BILL RECOMMITTED

HB 355 (Pr. No. 2598) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for hours of sale in cities of the first and second class.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MOORE. Mr. President, I request House Bill No. 355 go over in its order.

POINT OF INFORMATION

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

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

Senator ROCKS. Mr. President, does a bill require a vote of a Standing Committee of this Senate to be reported to the floor of the Senate?

The PRESIDENT pro tempore. It would be the ruling of the Chair that a bill to be reported from committee must be reported upon the vote of a majority of the Members of that committee.

PARLIAMENTARY INQUIRY

Senator ROCKS. Mr. President, I rise to a question of parliamentary inquiry.

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

Senator ROCKS. Mr. President, with regard to House Bill No. 355, as printed on our Calendar today in the Senate, my point of parliamentary inquiry is whether this bill was ever voted on in the Committee on Urban Affairs and Housing of the Senate prior to its being reported to this floor?

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

The PRESIDENT pro tempore. In response to the gentleman's parliamentary inquiry, the Chair is without means of knowledge to respond to that.

MOTION TO RECOMMIT

Senator STREET. Mr. President, I move that House Bill No. 355 be recommitted to the Committee on Urban Affairs and Housing, and unamended and restored to its original state so we may begin all over again.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

The PRESIDENT pro tempore. House Bill No. 355 is recommitted to the Committee on Urban Affairs and Housing.

POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Allegheny, Senator Romanelli, will state it.

Senator ROMANELLI. Mr. President, my point of order is that this bill does not belong in the Committee on Urban Affairs and Housing. It belongs in the Committee on Law and Justice.

The PRESIDENT pro tempore. The gentleman's point is not well taken, the vote already having been taken on the issue and, therefore, the issue is really not before the Senate at this time.

BILL OVER IN ORDER

HB 686 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

SB 934 (Pr. No. 1136) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1981 (P. L. 508, No. 142), entitled "Sunset Act," further providing for the evaluation and review of agencies.

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

HB 946 (Pr. No. 2528) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, redefining "abandoned vehicles"; and further providing for removal of vehicles.

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

BILLS OVER IN ORDER

SB 948, 988, 1083 and 1084 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 1100 (Pr. No. 1759) — The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, providing for selection of justices of the Supreme Court and judges of the Superior and Commonwealth Courts; and changing and adding other provisions relating to the Judiciary.

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

BILLS OVER IN ORDER

SB 1153, 1154, 1155, HB 1155 and SB 1168 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

SB 1181 (Pr. No. 1596) — The Senate proceeded to consideration of the bill, entitled:

An Act designating a section of Route 11 (Legislative Route 25) in Snyder County as the "Charles E. Attig, Jr. Memorial Highway."

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

SB 1213 (Pr. No. 1647) — The Senate proceeded to consideration of the bill, entitled:

An Act requiring the posting of certain information by retail gasoline dealers; and imposing penalties.

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

SB 1255 (Pr. No. 1722) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1980 (P. L. 1241, No. 224), entitled "Pennsylvania Cancer Control, Prevention and Research Act," extending the expiration date of the act.

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

BILL ON SECOND CONSIDERATION AMENDED

HB 1397 (Pr. No. 2599) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring public hearings prior to closing schools; further providing for an alternative payment plan for illness or accidental injury; and authorizing the State Treasurer to recover Social Security overpayments on behalf of school employees.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Title, page 1, line 9, by removing the period after "EMPLOYEES" and inserting: , school entities and the Commonwealth.

Amend Sec. 2, page 2, line 6, by inserting after "IS": reenacted and

Amend Sec. 2 (Sec. 1154.1), page 2, line 10, by inserting after "DISTRICT": or other school entity

Amend Sec. 2 (Sec. 1154.1), page 2, line 16, by inserting after "ALL": other

Amend Sec. 2 (Sec. 1154.1), page 2, line 23, by striking out "DISTRICTS" and inserting: entities

Amend Sec. 2 (Sec. 1154.1), page 2, line 28, by striking out "DISTRICTS" and inserting: entities

Amend Sec. 2 (Sec. 1154.1), page 2, line 30, by striking out "DISTRICTS" and inserting: entities

Amend Sec. 4, page 3, line 5, by striking out all of said line and inserting:

Section 4. (a) Section 1 of this act, relating to section 780, shall take effect September 1, 1984.

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

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILL ON SECOND CONSIDERATION

HB 1643 (Pr. No. 2083) — The Senate proceeded to consideration of the bill, entitled:

An Act designating a certain bridge crossing the Allegheny River in Armstrong County as the J. Frank Graff Bridge.

Considered the second time and agreed to,

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

SENATE RESOLUTION NO. 93, CALLED UP

Senator JUBELIRER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 93**, entitled:

Urging Nuclear Regulatory Commission to delay decision on restart of Three Mile Island Unit 1 Reactor.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION NO. 93, AMENDED

Senator SHUMAKER offered the following amendment:

Amend First WHEREAS Clause, page 1, line 3, by striking out "worst" and inserting: most serious

Amend First WHEREAS Clause, page 1, line 5, by inserting after "at": Unit 2 of

Amend Sixth WHEREAS Clause, page 2, line 7, by inserting after "management": and operations

Amend Sixth WHEREAS Clause, page 2, line 12, by inserting after "Commission": and that the company's training and rating program was not adequate to satisfy the legal requirements for restart

Amend Twelfth WHEREAS Clause, page 3, line 9, by inserting after "unresolved": issues of

Amend Twelfth WHEREAS Clause, page 3, line 10, by striking out "issues"

Amend First RESOLVED Clause, page 3, line 16, by striking out "adhere to due process and"

Amend First RESOLVED Clause, page 3, lines 17 through 19, by striking out "all criminal, civil and" in line 17 and all of lines 18 and 19 and inserting: and unless the various questions related to public health and safety, including those related to management competence, integrity and technical issues are resolved, until all criminal matters are resolved, and until and unless there is a funding mechanism in place for completing the radiation cleanup at TMI-2.

On the question,

Will the Senate agree to the amendment?

Senator SHUMAKER. Mr. President, this amendment adds an additional condition to the consideration of the restart for the NRC of Unit 1 in that it requests the completion of the funding plan for the radiation cleanup of TMI-2. I think one of the speculative matters that has been left hanging out in the air is a plan for a radiation cleanup. Several plans have been introduced and suggested, but the industry itself which was supposed to come up with a plan in cooperation with other elements has failed to come up with their amount of money as promised. I feel that one of the things that is really deterring industry from coming into the area and settling here is the indefiniteness, not only of the restart, but of a cleanup plan which could, even though rates may be stabilized by a restart, have the indefiniteness of the future of the ratepayers paying for this cleanup and I think they want to know what their bill is going to be. I think the other elements are already set forth; the contingencies upon which the resolution is based before Unit 1 could be restarted other than the situation where they approved the hardware and I think this is the main purpose of the amendment. I think it will make a clear signal to the NRC that we would like to have some definiteness in this area so we know where we are heading in this area.

Senator ZEMPRELLI. Mr. President, I would remind the Members of the Democratic caucus of the extended discussion that took place on this particular amendment.

In addition to that, to say the least, the subject matter is a very volatile one. So that we do not get misunderstood as to our positions, the resolution itself has some implications as to commitments on time that might virtually mean that this would never get opened. For example, "until all criminal matters are resolved," and the one that particularly is offensive to the Members of the Democratic caucus is the part that reads, "until and unless there is a funding mechanism in place for completing the radiation cleanup at TMI..."

Specifically, the point is, Mr. President, that if the Administration has not had the courage to do anything about this issue now, it may never have it. So then it does become a matter of how we feel about nuclear reactors and how we are going to deliver this kind of service to our community. It has been generally agreed, at least by our caucus, that this particular resolution is not in order as to substance and, secondly, is offensive for the reasons as stated, and I would remind the Members that we proposed to vote against this resolution amendment.

Senator SHUMAKER. Mr. President, I would remind the gentleman from Allegheny, Senator Zempirelli, that the Administration did come up with a plan for funding and it was to be broken into three parts. The part which was never fulfilled and the largest part was the commitment of the nuclear industry itself to fund this clean up. These are the same people who are saying they want to open this only by having the hardware in good shape but nothing else to be pre-conditioned upon opening. They have never come up with the money. I think a plan has to be in place if we are going to give a clear signal to the people of this area where I live—and it is a very, very important issue in this area and in the entire central Pennsylvania area and, I think, to the whole United States—that we want a plan in place before they give the okay to even consider the opening of TMI Unit 1.

Senator ZEMPRELLI. Mr. President, I heard the gentleman but that is not what his resolution says. It says, "until and unless there is a funding mechanism in place for completing the radiation cleanup of TMI..." The very fact that there is a lack of definition or an assignment of responsibility for what a funding mechanism is has by its broad implication any kind of escape in terms of what is the funding mechanism, whose responsibility is it and on and on would go this dilemma with respect to TMI which has now been into a much longer period than it should have been in the first instance. It would just be compounding part of the problems that exist there and for those reasons many of us will be opposing the amendments as proposed.

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

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

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

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

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

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

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

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

The Chair would like to change his vote from "aye" to "no."

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

YEAS—24

Bell	Holl	Pecora	Snyder
Corman	Hopper	Reibman	Stauffer
Fisher	Howard	Rhoades	Street
Greenleaf	Jubelirer	Romanelli	Tilghman
Helfrick	Loeper	Shaffer	Wenger
Hess	Moore	Shumaker	Wilt

NAYS—19

Andrezeski	Kratzer	Musto	Stapleton
Bodack	Kusse	Rocks	Stout
Brightbill	Lincoln	Ross	Williams
Early	Lloyd	Scanlon	Zempirelli
Hager	Mellow	Singel	

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

The PRESIDENT pro tempore. The resolution will go over in its order, as amended.

SUNSET REVIEW RESOLUTION NO. 9, CALLED UP

Senator JUBELIRER, without objection, called up from page 6 of the Calendar, **Sunset Review Resolution No. 9**, entitled:

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

On the question,
Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 9, ADOPTED

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 9.

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

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

YEAS—43

Andrezeski	Holl	Musto	Snyder
Bell	Hopper	Pecora	Stapleton
Bodack	Howard	Reibman	Stauffer
Brightbill	Jubelirer	Rhoades	Stout
Corman	Kratzer	Rocks	Street
Early	Kusse	Romanelli	Tilghman
Fisher	Lincoln	Ross	Wenger

Greenleaf	Lloyd	Scanlon	Williams
Hager	Loeper	Shaffer	Wilt
Helfrick	Mellow	Shumaker	Zemprelli
Hess	Moore	Singel	

NAYS—0

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

SUNSET REVIEW RESOLUTION NO. 10, CALLED UP

Senator JUBELIRER, without objection, called up from page 6 of the Calendar, **Sunset Review Resolution No. 10**, entitled:

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

On the question,
Will the Senate adopt the resolution?

SUNSET REVIEW RESOLUTION NO. 10, ADOPTED

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Sunset Review Resolution No. 10.

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

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

YEAS—43

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

NAYS—0

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

UNFINISHED BUSINESS REPORTS FROM COMMITTEES

Senator KUSSE, from the Committee on Transportation, reported the following bills:

SB 336 (Pr. No. 1809) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the penalty for unauthorized parking in a space reserved for the handicapped from \$15 to \$40.

SB 926 (Pr. No. 1810) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "articulated bus."

SB 1247 (Pr. No. 1701)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certain width vehicles and permits for such vehicles.

HB 1468 (Pr. No. 2680) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting recipients of the Congressional Medal of Honor from all title and registration fees.

HB 1832 (Pr. No. 2681) (Amended)

An Act providing for an appropriation to the High Speed Intercity Rail Passenger Commission.

Senator TILGHMAN, from the Committee on Appropriations, reported the following bills:

HB 1448 (Pr. No. 2679) (Amended) (Rereported)

An Act amending the "Real Estate Licensing and Registration Act," approved February 19, 1980 (P. L. 15, No. 9), adding and amending definitions; creating, empowering and governing a commission; eliminating confidentiality requirements; changing hours of study and specifying areas of study for applicants; eliminating fee requirements; imposing reporting duties on the Pennsylvania Human Relations Commission; adding a prohibition; broadening the scope of regulation of promotional sales and requiring public accounting for promotional sales; requiring contractual disclosures; regulating reinstatement of revoked licenses; changing limits of liability and increasing assessments for the recovery fund; requiring statements as to the fair market value and odds of receiving any prize in relation to certain offerings of real property; making editorial changes; and making repeals.

HB 1919 (Pr. No. 2556)

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

HB 1920 (Pr. No. 2509)

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate.

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 PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD

February 1, 1984.

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 Sophie Vargo, 111 South Fourth Street, Duquesne 15110, Allegheny County, Forty-fifth Senatorial District, for appointment 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, vice Lynn M. Gray, Pittsburgh, deceased.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF CHIROPRACTIC EXAMINERS

March 5, 1984.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James H. Haug, D.C., 512 North Montour Street, Montoursville 17754, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the State Board of Chiropractic Examiners, to serve until July 15, 1987, and until his successor is appointed and qualified, but not longer than six months beyond that period.

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

February 24, 1984.

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 E. Craig Sweeten, P. O. Box 158, Skytop 18357, Monroe County, Twenty-second 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 HEALTH CARE
POLICY BOARD

February 24, 1984.

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 Moredon 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.
COMMONWEALTH TRUSTEE OF LINCOLN
UNIVERSITY—OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

February 1, 1984.

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 Lenetta R. Lee, Ye Olde Lions Inn, R. D. 1, Lincoln University 19352, Chester County, Thirty-sixth Senatorial District, for appointment as a Commonwealth Trustee of Lincoln University—of the Commonwealth System of Higher Education, to serve until August 31, 1984, and until her successor is appointed and qualified, vice Tonya L. Tolson, Holland, resigned.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA BOARD
OF PSYCHOLOGIST EXAMINERS

February 24, 1984.

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 Henry M. Weeks, IV, Ph.D., 211 Echo Road, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Board of Psychologist Examiners, to serve until December 24, 1986, and until his successor is appointed, but not longer than six months beyond that period.

DICK THORNBURGH.
MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

December 23, 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 Harry W. Horne (Republican), 624 First Avenue, Johnsonburg 15745, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Chris P. Buerk, whose term expired.

DICK THORNBURGH.
MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

February 24, 1984.

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 Francis DePanfilis (Democrat), 125 South Broad Street, Ridgway 15853, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1986, and until his successor is duly appointed and qualified, to fill a new position.

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.

BILLS IN PLACE

Senator LLOYD presented to the Chair several bills.
 Senator STAPLETON presented to the Chair a bill.

RESOLUTIONS OFFERED

Senator MELLOW. Mr. President, I would like to offer four resolutions for consideration by the Senate and ask unanimous consent for their immediate consideration.

The PRESIDENT pro tempore. Senator Mellow offers the following four resolutions and asks unanimous consent for their immediate consideration. Senator Mellow, we will do them one at a time, if we may. Senator Mellow offers a resolution which the Clerk will read.

Senator JUBELIRER. Mr. President, I desire to interrogate the gentleman from Lackawanna, Senator Mellow.

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

Senator MELLOW. I will, Mr. President.

Senator JUBELIRER. Mr. President, I believe the gentleman did, indeed, submit the resolutions in a courteous manner to our caucus prior to the Session. But would the gentleman be so kind as to withdraw the resolutions? Because of the press of today's schedule, we did not have an opportunity in the Republican caucus to discuss the matter and I would assure him we would do so tomorrow and then make a decision as to whether we can do it then or if it would have to go to the Committee on Rules and Executive Nominations.

Senator MELLOW. That would be fine, Mr. President. I have no problem with that.

RESOLUTIONS WITHDRAWN

Senator MELLOW. Mr. President, I would like to withdraw the resolutions and I will resubmit them tomorrow.

The PRESIDENT pro tempore. The Chair thanks the gentleman and the resolutions are withdrawn.

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 the University of Pennsylvania's School of Veterinary Medicine and to Mr. and Mrs. David Achey by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Gally, Mr. and Mrs. Edward Thompson, Mr. and Mrs. Jerome O. Sanders, Mr. and Mrs. Raymond Brindle, Mr. and Mrs. John Barie, Mr. and Mrs. Walter J. Semler and to Mr. and Mrs. Joseph Wilson by Senator Bodack.

Congratulations of the Senate were extended to Elizabeth A. Belnoski by Senator Brightbill.

Congratulations of the Senate were extended to the North Hills High School Concert Band and to George P. Keast by Senator Early.

Congratulations of the Senate were extended to St. Ann's School by Senator Fisher.

Congratulations of the Senate were extended to the friends of Louis I. Kahn by Senator Fumo.

Congratulations of the Senate were extended to Salem Baptist Church of Jenkintown, Steven J. Topieniak and to David J. Topieniak by Senator Greenleaf.

Congratulations of the Senate were extended to the Golden Cradle Home by Senator Hager.

Congratulations of the Senate were extended to the Honorable Jeanette F. Reibman by Senators Hager and Zemprelli.

Congratulations of the Senate were extended to the Central Columbia High School Boys Swimming Team by Senator Helfrick.

Congratulations of the Senate were extended to H. Eli Holt, Dale Hartshorne and to James S. Clemens by Senator Holl.

Congratulations of the Senate were extended to Charles E. Ronaldo by Senator Howard.

Congratulations of the Senate were extended to Mr. and Mrs. Homer W. Brown, Mr. and Mrs. Ralphard E. Black, Mr. and Mrs. Edward Cutshall, Mr. and Mrs. Mike Pellatiro, Mr. and Mrs. Chester Snare, Mr. and Mrs. Paul Myers and to Peter L. Gentlecore by Senator Jubelirer.

Congratulations of the Senate were extended to Dale Walker, James "Posey" Flowers, Ralph M. Rich, Jr. and to the New Alexandria Borough by Senator Kelley.

Congratulations of the Senate were extended to Matthew Wolfgang, the Allen High School Band and to the Valdez, Alaska Fire Department and Fireman Andrew Swift by Senator Kratzer.

Congratulations of the Senate were extended to Nathan Joseph Codispoti by Senator Lincoln.

Congratulations of the Senate were extended to the Honorable Thomas A. White, Parkwood Youth Organization, the William C. Jacobs School and to Gaudenzia, Inc. by Senator Lloyd.

Congratulations of the Senate were extended to Jeff Thoma by Senator Loeper.

Congratulations of the Senate were extended to Charles Wszolek by Senator Lynch.

Congratulations of the Senate were extended to William Healey by Senator Mellow.

Congratulations of the Senate were extended to Donald and Mary Wolfe, Judge Arthur D. Dalessandro, J. Earl Langan and to Sam Amico by Senator Musto.

Congratulations of the Senate were extended to Michael Kuhn, Anna Levanduski and to Basil A. Desiderio by Senator O'Connell.

Congratulations of the Senate were extended to Jacob S. Stover, Fred Winne and to David Fick by Senator O'Pake.

Congratulations of the Senate were extended to Cecilia Sarocky by Senators O'Pake and Romanelli.

Congratulations of the Senate were extended to Porky Cheswick, Marshall W. Bond, Linda Burri, John Trafficante, Joseph Francis Markosek and to Mr. and Mrs. Giacoma Cicirello by Senator Pecora.

Congratulations of the Senate were extended to Jeanne and Daniel Schmedlen and to the Easton YMCA by Senator Reibman.

Congratulations of the Senate were extended to Lawrence Furey, Al Callaghan, Mr. and Mrs. George Isleib, Mr. and Mrs. Curtis W. Lubold and to Mr. and Mrs. Herbert Keller by Senator Rhoades.

Congratulations of the Senate were extended to the Northwest Interfaith Movement, Philadelphia Chapter of the Lithuanian-American Community of the U.S.A., Inc. and to the Catholic Schools of Philadelphia by Senator Rocks.

Congratulations of the Senate were extended to Michael Maffeo, Michelangelo Cherubini Celli, John C. Shovlin, Michael A. Shovlin and to Kevin P. Shovlin by Senator Romanelli.

Congratulations of the Senate were extended to Mr. and Mrs. John Palmer, Frank N. Buczkowski and to The Greater New Castle Chamber of Commerce by Senator Shaffer.

Congratulations of the Senate were extended to Dr. Robert A. Brown, Ruth McCullough Walzer, Reverend Dr. Albert E. Myers and to Clem J. Malinoski by Senator Shumaker.

Congratulations of the Senate were extended to Charles and Mary A. Lang by Senator Singel.

Congratulations of the Senate were extended to Bessie Pearl Smith and to Mr. and Mrs. Frank Coy by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Andrew Dran, Mr. and Mrs. Everett Richmond, Mr. and Mrs. C. V. Cowden, Mr. and Mrs. Frank Amon, Mr. and Mrs. Frank Albani, Mr. and Mrs. Harry McCracken and to Mr. and Mrs. Joseph Kern, Sr. by Senator Stout.

Congratulations of the Senate were extended to Douglas Zack, David Zack and to the Titusville plant of the Universal-Cyclops Corporation by Senator Wilt.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Dr. Robert C. McCorry and to the family of the late Dr. H. Theodore Campbell by Senator Shaffer.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 336, 926, 1172, 1247, HB 539, 1468, 1832, 1919 and 1920.

And said bills having been considered for the first time, Ordered, To be printed on the Calendar for second consideration.

PETITIONS AND REMONSTRANCES

Senator ZEMPRELLI. Mr. President, oftentimes action on this floor does not appear to have any significant importance and some would hope that it would turn around and just simply disappear. Today there was a very significant course of action on Senate Bill No. 952. We hear the hue and cry from many people that we need to do something about neighborhood assistance and, yet, when the opportunity comes to do something about it, those who would champion that cause and would have people out in the community believe they are sincere in what their intentions are to help those who need assistance within the definition of that which falls within the Neighborhood Assistance Act, when an opportunity came today by way of an amendment that was offered by the gentleman from Philadelphia, Senator Rocks, and the gentleman from Cambria, Senator Singel, to cap that funding at \$8.75 million, that amendment failed.

Mr. President, my purpose in addressing these remarks is to call signal attention to the fact that there were people on this floor who would be regarded as having been for neighborhood assistance but when the first really significant opportunity came to be postured in that light, they, so to speak, copped out by voting against the amendment.

Secondly, Mr. President, and I will keep my remarks short, it is interesting to note that this General Assembly is coming under great criticism from the news media in reporting that people who want to avail themselves of mortgage assistance cannot, and that is because there is no money in the well. The program has not been funded. Yet today, those who would posture and say that they have empathy for the unemployed workers of this Commonwealth in the urban areas and want them to maintain their homes when the real opportunity prevailed in the form of the same amendment today to Senate Bill No. 952, to provide \$5 million, and it was not a matter of that \$5 million not being available, because we all know and everybody else knows that \$30 million had lapsed for the remainder of this fiscal year so there was a plus of \$25 million available for that purpose. The \$5 million would, in fact, fund a meaningful Mortgage Assistance Act through the end of the fiscal period of June 30, 1984. When the issue came from push to shove by putting the vote on the line as to what their real intent is with respect to mortgage assistance and really if they mean they want to help the unemployed of the Commonwealth of Pennsylvania without pain, without consternation, without any anxiety of it all, all it would have taken was an affirmative vote on that amendment.

What I am suggesting, Mr. President, is simply this, that the boys have been separated from the men on the issue as to where they stand on neighborhood assistance, and the boys have been separated from the men on where they stand on the issue of assistance for mortgage foreclosures and those who have been disadvantaged by our unemployment situation. I think it is a tragedy.

Mr. President, I suggest to this Chamber that the world will know how everybody voted on this issue and although I am impressed with the fact that some rumors are about that there

is an effort to fund this issue, I am nonetheless chagrined and disappointed that these amendments failed today on the basis of a tie vote. I think it amounts to a small tragedy as to what our acts of omissions were today on a golden opportunity that may not present itself in the very near future to lend assistance to the deprived under the Neighborhood Assistance Act and also save some homes for those unemployed who do not have the opportunity to meet the economic needs of keeping their homes. I, for one, will be on the streets telling them who was for them and who was against them and I will use the roll call on Senate Bill No. 952 as to the amendment process today. I assure the Members that I will keep it simple and to the point so that it will be understood.

The PRESIDING OFFICER (Richard A. Tilghman) in the Chair.

Senator JUBELIRER. Mr. President, the gentleman from Allegheny, the distinguished Minority Leader, Senator Zemprelli, as usual presents a very persuasive case in his inimitable style. Unfortunately, as he has done in the past and he does it very effectively, he tends to overexaggerate and puff up the facts in a manner in which are not necessarily the case.

I think we need to look at the history of mortgage foreclosure to totally understand. Frankly, I am very proud of the role of this caucus and the manner in which it played it in passing the mortgage foreclosure bill and a funding mechanism. As I recall, it was the House of Representatives that passed a mortgage foreclosure bill. The bill of the Speaker of the House, Representative Irvis, came over here and that was all fine and dandy except it came over without a funding mechanism and that makes it a little difficult. It is very easy to be for the bill, but when it comes to paying for it, well, then it is not so easy. As far as I am concerned, the House really abrogated its responsibility as a legislative Body when it did that. Over here, rather than taking the position they did not do it and just sitting on it, as I look around this room and look at the three Members with the exception of the gentleman from Allegheny, Senator Zemprelli, who are still here, the gentleman from Philadelphia, Senator Lloyd, the gentleman from Cambria, Senator Singel, and the gentleman from Philadelphia, Senator Rocks, and maybe one or two others, we worked together on that bill and we did, indeed, come up with a compromise. I might say that there were things I felt did not need to go in that bill that they felt very strongly about and for the most part, I think I acceded to some of the things they wanted and we did, indeed, pass it. It was shortly thereafter that we sat down again and decided how we were going to fund this particular piece of legislation. We had to decide which way we were going to go. The easiest way, I suppose, would have been to go to the General Fund and maybe not take the taxpayer's interest into consideration, but that was not the case. The gentleman from Chester, Senator Stauffer, was the author of a plan to deal with the tax credits. At that time it seemed to be feasible and, as I recall, we passed that almost unanimously. We said we would wait and see how it came about. I recognize there have been complaints. Frankly, I am also not totally satisfied with the way the Department of

Community Affairs has handled this particular situation because they did not want it done this way. I think they played a little bit of hardball in the manner in which they handled it. The freeze is off on many of those things. The verdict is not in and I still think we need to see if we do need to fund mortgage assistance further. I assure you, Mr. President, we will stand ready to do it, but not in this manner.

Mr. President, Senate Bill No. 952 is an important piece of legislation. The gentleman from Fayette, Senator Lincoln, has worked very hard and has been very instrumental in working on that particular piece of legislation. Again, it has been a bipartisan effort and those nursing homes needed attention and the funding for them needed attention. We made a decision to move that bill and move it as quickly as possible. Right or wrong, I can attest, without a doubt, that this caucus stood in favor of the nursing home legislation. We are concerned and we support the funding of mortgage assistance and I certainly worked hard to do that in my district and I will continue to do it.

We support neighborhood assistance. For the gentleman from Allegheny, Senator Zemprelli, to castigate that, just because he thinks he ought to have it done in his way and his time, the way it ought to be done, I think, is not totally correct.

Mr. President, I think the gentleman deserved a response and I have given it. I think we can frankly take considerable pride in working together to pass such a bill. I think the Pennsylvania Housing Finance Agency is finally getting things together and, hopefully, the program will be a lot smoother. But, when we have a new program of this kind, new in this country and new in this state, and we set that kind of precedent, it is not all going to be smooth. I am still ready to work and work together with that side of the aisle to bring about fruition of the funding mechanism if that becomes necessary.

**GUEST OF SENATOR HENRY G. HAGER
PRESENTED TO SENATE**

The PRESIDENT pro tempore. Mr. President, I hesitate to step into the middle of this debate for something which is of not quite of the same monumental importance, but I know it is of importance to the gentleman from Allegheny, Senator Zemprelli, the gentleman from Philadelphia, Senator Rocks, and the gentleman from Blair, Senator Jubelirer, as golfers.

We have a guest on the floor who I would like to introduce to Members of the Senate. His name is George "Buddy" Marucci, who is not only the defending champion of Pennsylvania amateur golf for 1982, but also of 1983. He won it in 1983 at the Pittsburgh Field Club. I thought you would like to join me in welcoming this guest to the Senate of Pennsylvania. Buddy, would you please step forward so the people can see you.

(Applause.)

PETITIONS AND REMONSTRANCES

(Continued)

Senator LLOYD. Mr. President, I rise to discuss an unfortunate irregularity that has occurred in the Senate during the past few weeks regarding House Bill No. 355.

During the course of today's Senate action, House Bill No. 355, as a result of a motion by the gentleman from Philadelphia, Senator Rocks, was referred, or rereferred if you will, to the Committee on Urban Affairs and Housing. The history of House Bill No. 355 is very interesting. About two weeks ago, I believe on February 28th, but I am not certain of that date, the Committee on Urban Affairs and Housing called a meeting on Senate Bill No. 1229. Senate Bill No. 1229 was a bill that the gentleman from Philadelphia, Senator Street, introduced which would allow certain bars to serve liquor until 6:00 a.m. During the meeting, which I and the gentleman from Philadelphia, Senator Rocks, both attended, Senate Bill No. 1229 was amended to say that those establishments could stay open until 6:00 a.m. and that was changed to read 4:00 a.m. There was extended debate upon that and differences of opinion as to whether or not it was in the best interest of the Commonwealth.

A few days later, however, we noticed that although we discussed Senate Bill No. 1229 which was called for on the agenda, House Bill No. 355 appeared on the Senate Calendar. House Bill No. 355 had never been passed by the Committee on Urban Affairs and Housing and it now appeared totally gutted of everything including its title, and Senate Bill No. 1229 had been inserted into it. House Bill No. 355 in its original form had been an Urban Homesteading Act introduced by Representative David Richardson. During the course of the committee meeting, the chairman of the committee indicated he wanted to move Senate Bill No. 1229 out, which was the bill which changed the hours liquor stores are open, and then subsequently have the committee conduct public hearings on the bill. The gentleman from Philadelphia, Senator Rocks, pointed out that would be an inappropriate course of action and if the committee wanted to have hearings on the bill, the committee should retain the bill. However, the chairman pushed Senate Bill No. 1229 out and indicated that the following week he would like to have hearings on it. Hearings did take place. The gentleman from Philadelphia, Senator Rocks, attended the hearing, and materials distributed at the hearing indicated that the vehicle or topic of discussion was Senate Bill No. 1229.

In short, it is of utmost importance that in this Body we do not violate the spirit or the letter of the law. If, in fact, House Bill No. 355 appeared on the Senate Calendar, although it had never been voted on, if, in fact, that occurred by mistake—mistakes happen, they are understandable—it is no problem. However, if House Bill No. 355 appeared on the Senate Calendar as part of some complex political maneuver to strip a bill of a political adversary and to use that number as a vehicle for one's own political well-being, then that is a highly inappropriate course of action. That could potentially lead to actions being taken in committee and actually have language

changed in bills between the time they are in the committee room and the time they reach the floor of the Senate.

Mr. President, in either event, I think it is going to be imperative for us to adopt a Rules change that will require the recording of Senate committee meetings. We cannot take the chance of having legislation reach the floor of the Senate which has not gone through the legislative process as prescribed by law.

Later this week, the gentleman from Philadelphia, Senator Rocks, and I will introduce a Rules change in the Senate to require that Senate committee meetings be recorded. We are soliciting input from colleagues on both sides of the aisle in the interim on what fashion that should take, whether it should be tape recordings or court reporter type recordings. I hope one thing is not lost on us here today, that the potential to play fast and loose with the laws of Pennsylvania may well have taken place and if that were to occur on an ongoing basis, the losers would be the people of Pennsylvania and we have a responsibility to maintain an unquestioned level of integrity on the floor of the Senate and in its halls.

I thank you, Mr. President, for the opportunity to address this not so pleasant issue.

(The following two letters were made a part of the record at the request of the gentleman from Philadelphia, Senator LLOYD:)

SENATE OF PENNSYLVANIA

February 3, 1984

The Honorable Dick Thornburgh
Governor of Pennsylvania
Room 225 Capitol Building
Harrisburg, Pennsylvania 17120

Dear Governor Thornburgh:

I am pleased to note that you are moving ahead with the "request for proposal" from contractors interested in administering the Pharmaceutical Assistance Contract for the Elderly Act. We are all interested in seeing that this program is put into place as quickly as possible.

In the "request for proposal," it appears on page 11, under Section A, Task 1 - Program Implementation, that the contractor is to have the responsibility of setting procedures for determining eligibility of claimants. This is contrary to provisions in Act 63 of 1983 which state in Section 4(a) that "The Department shall adopt regulations relating to the determination of eligibility of prospective claimants and providers including dispensing physicians and the determination and elimination of program abuse."

In approving the law establishing the state program providing prescription drug aid to the elderly, our senior citizens clearly stated to us that the state's area agencies on aging, in conjunction with the state Department of Aging, should have the responsibility for determining eligibility of claimants. Our senior citizens are familiar with these agencies, which have a network throughout the state and are accessible to the impacted elderly population. On behalf of our senior citizens, I urge the area agencies on aging, with the assistance of the Department of Aging, be responsible for implementing the eligibility determinations of this program.

I trust that you will make the proper corrections in the "request for proposal" and promulgate the needed regulations as quickly as possible so that we achieve conformity with the provisions of Act 63 and still adhere to the deadlines stated in that act. Please advise my office of your intentions in this area.

Thank you for your attention to this matter.

Sincerely,
JAMES R. LLOYD

SENATE OF PENNSYLVANIA

February 3, 1984

The Honorable Gorham L. Black, Jr.
Secretary
Department of Aging
231 State Street
Harrisburg, Pennsylvania 17101

Dear Secretary Black:

I am pleased to note that you are moving ahead with the "request for proposal" from contractors interested in administering the Pharmaceutical Assistance Contract for the Elderly Act. We are all interested in seeing that this program is put into place as quickly as possible.

In the "request for proposal," it appears on page 11, under Section A, Task I - Program Implementation, that the contractor is to have the responsibility of setting procedures for determining eligibility of claimants. This is contrary to provisions in Act 63 of 1983 which state in Section 4(a) that "The Department shall adopt regulations relating to the determination of eligibility of prospective claimants and providers including dispensing physicians and the determination and elimination of program abuse."

In approving the law establishing the state program providing prescription drug aid to the elderly, our senior citizens clearly stated to us that the state's area agencies on aging, in conjunction with the state Department of Aging, should have the responsibility for determining eligibility of claimants. Our senior citizens are familiar with these agencies, which have a network throughout the state and are accessible to the impacted elderly population. On behalf of our senior citizens, I urge the area agencies on aging, with the assistance of the Department of Aging, be responsible for implementing the eligibility determinations of this program.

I trust that you will make the proper corrections in the "request for proposal" and promulgate the needed regulations as quickly as possible so that we achieve conformity with the provisions of Act 63 and still adhere to the deadlines stated in that act. Please advise my office of your intentions in this area.

Thank you for your attention to this matter.

Sincerely,
JAMES R. LLOYD

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The PRESIDING officer laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bill had been approved and signed by the Governor:

SB 1134.

HOUSE MESSAGE

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:

March 19, 1984

HB 452 — Committee on Law and Justice.
HB 1270 — Committee on State Government.

GENERAL COMMUNICATION

NOMINATION PETITION OF
ROXANNE H. JONES FOR NOMINATION OF
THE DEMOCRATIC PARTY FOR SENATOR
IN THE PENNSYLVANIA GENERAL ASSEMBLY
FROM THE THIRD SENATORIAL DISTRICT

The PRESIDING OFFICER laid before the Senate the following Nomination Petition, which was read and referred to the Committee on Rules and Executive Nominations:

IN THE SENATE OF PENNSYLVANIA

IN RE: Nomination Petition of Roxanne H. Jones for Nomination of the Democratic Party for Senator in the Pennsylvania General Assembly from the Third Senatorial District.

PETITION FOR OBJECTORS

Submitted by:
James J. Binns, P.A.
300 Walnut Street
Philadelphia, PA 19106
(215) 933-4000

IN THE SENATE OF PENNSYLVANIA:

PETITION TO SET ASIDE NOMINATION
PETITION OF ROXANNE H. JONES

AND NOW, come the Petitioners, by their representative, JAMES J. BINNS, and file the within Petition representing as follows:

1. The Senate of Pennsylvania has jurisdiction of this Petition in accordance with the Order of the Supreme Court of Pennsylvania filed March 15, 1984 and Article II, Section 9, of the Constitution of Pennsylvania.

2. Petitioners are:

- (a) Raymond K. McCall
2355 North 18th Street
Philadelphia (215) 226-2314
- (b) Zahir Hamid Ra
24-2 North Broad Street
Philadelphia (215) 232-0599
- (c) Robert L. Mitchel
2826 North Bambrey
Philadelphia (215) 223-4666
- (d) Elenor Smith
3128 Ridge Avenue
Philadelphia (215) 769-0323
- (e) Elmer Wilson
2931 North Camac Street
Philadelphia (215) 227-2884
- (f) Robert Graham
3003 West Fletcher Street
Philadelphia (215) 763-6659

They are all duly qualified electors and registered members of the Democratic Party.

3. On January 31, 1984, a Nomination Petition was filed with the Secretary of the Commonwealth for Roxanne H. Jones

for the 1984 Democratic Primary Election for the office of Senator in the General Assembly for the Third Senatorial District in Pennsylvania.

4. Article II, Section 5, of the Constitution of Pennsylvania provides that, "Senators shall have been...inhabitants of the respective districts one year next before their election..."

5. Petitioners object to the Nomination Petition of Roxanne H. Jones because Roxanne H. Jones is not a qualified candidate pursuant to Article II, Section 5, of the Constitution in that she has not been nor is a resident of the Third Senatorial District of Pennsylvania.

6. On February 7, 1984, pursuant to 26 Pa. C.S.A. §2937, a Petition to Set Aside the Nomination Petition of Roxanne H. Jones was filed in the Commonwealth Court of Pennsylvania by certain qualified electors residing in the Third Senatorial District of Pennsylvania.

7. The aforementioned Petition challenged the Nomination Petition of Roxanne H. Jones on the grounds that she does not meet the residency requirements set forth in Article II, Section 5, of the Constitution of Pennsylvania.

8. On February 13, 1984, an evidentiary hearing was held before the Honorable Theodore O. Rogers, Judge of the Commonwealth Court of Pennsylvania.

9. Based on the evidence adduced at the hearing, Judge Theodore Rogers ruled in an Opinion dated February 22, 1984, that, "Roxanne H. Jones is domiciled outside the Third Senatorial District at Marshall Court, Apartment 5C, 845 North 7th Street in Philadelphia."

10. The Commonwealth Court made the following findings of fact:

(a) Roxanne H. Jones and her daughter Wanda, who is now twenty-two years of age, established a domicile at Apartment 5C, a two-bedroom apartment in the Marshall Court Apartments located at 845 North 7th Street, Philadelphia, Pennsylvania, in the year 1970.

(b) Marshall Court apartment house is owned by the Philadelphia Housing Development Corporation. It is subsidized housing provided under the aegis of the Philadelphia Housing Authority.

(c) As of December 1983, the contract rent for the two-bedroom apartment occupied by Ms. Jones, as tenant, and her daughter as a member of her household, was \$265 of which the Philadelphia Housing Authority paid \$221 and Ms. Jones \$44.

(d) The required annual redetermination process required by Philadelphia Housing Authority of Ms. Jones' status as the tenant of the North 7th Street apartment began October 7, 1983. At that time Ms. Jones certified that she lived at the North 7th Street address.

(e) On or about November 1, 1983, still in pursuance of the redetermination process, Ms. Jones filed an application for the renewal of the tenancy at North 7th Street. On the application she twice recorded that she resided in the apartment at 845 North 7th Street.

(f) The application just mentioned was to continue as a tenant of Apartment 5C at 845 North 7th Street for one year beginning February 11, 1984.

(g) The regulations of the Philadelphia Housing Authority provide that one vacating a subsidized facility must give thirty days' advance notice; no such notice has ever been received by the Authority from Ms. Jones.

(h) Daughter Wanda's occupancy of the apartment on North 7th Street is irregular if her mother is not also living there because the Housing Authority's rule is that one person may not have a two-bedroom apartment. Not only has Ms. Jones given the housing authorities no notice of Ms. Jones' departure, no redetermination has been asked for or instituted in Wanda's behalf, which would be required for her continued sole occupancy of this or any other unit of Marshall Court.

(i) As a culmination of the redetermination process begun in October 1983 and the application made in November 1983, Ms. Jones received in January 1984, a one year's lease as from February 1984 for Apartment 5C at Marshall Court, 845 North 7th Street apartment.

(j) Ms. Jones paid her required share of the rent for the North 7th Street apartment for January 1984.

(k) Food stamps were sent to Ms. Jones monthly through January 1984 at the North 7th Street address.

(l) Ms. Jones' medical cards were sent to her by the assistance authorities to the North 7th Street address each month through January 1984.

(m) The telephone at the North 7th Street apartment is in the name of Roxanne H. Jones and the last bill was sent to her at the North 7th Street address on January 25, 1984.

(n) As of the date of our hearing, February 13, 1984, Ms. Jones had not changed her mailing address from the North 7th Street address. Her mail still goes to that address.

(o) Ms. Jones' address with the public assistance authorities was never changed from 845 North 7th Street.

(p) Ms. Jones voted on November 8, 1983 from the polling place appropriate for her North 7th Street address. On January 18, 1984, she changed her address with the Registration Commission from 845 North 7th Street to 1714 North Bambrey Street. On the notice of change, Ms. Jones said that she had moved to Bambrey Street in September 1983. October 8, 1983 was the last day prior to the election on November 8, 1983, for changing one's address for registration purposes. Only persons who moved after October 8, 1983, were eligible to vote at their former election district on November 3, 1983, despite which, as noted, Ms. Jones voted from her North 7th Street address at that election.

(q) On October 15, 1983, Ms. Jones moved some of her clothes and "papers" from 845 North 7th Street to a room in the residence of William Ervin, Sr., at 1714 North Bambrey Street.

11. After thoroughly evaluating the evidence introduced at the hearing, Judge Theodore Rogers entered an Order on February 22, 1984, setting aside the Nomination Petition of Roxanne H. Jones as a candidate for Senator in the Third Senatorial District in the Democratic Primary Election. A copy of the Opinion and Order is attached and marked "Exhibit A."

12. Roxanne H. Jones subsequently appealed the Commonwealth Court decision to the Supreme Court of Pennsylvania.

13. On March 15, 1984, the Supreme Court of Pennsylvania entered an Order vacating the Commonwealth Court decision on the grounds that the matter is not justifiable. The Court ruled that exclusive jurisdiction is conferred upon the legislative body itself for the testing of qualifications (including residency) for membership in the Senate and the House of Representatives. A copy of the Order is attached and marked "Exhibit B."

14. Pursuant to the above Supreme Court Order, the Senate of Pennsylvania is now responsible for determining the qualification of its members. The Senate, therefore, must declare Roxanne H. Jones ineligible since she does not meet its qualifications based on the evidence presented. If Roxanne H. Jones is declared ineligible, she should not be permitted to remain on the ballot for the April Primary. To permit an unqualified candidate to remain on the ballot could perpetrate a fraud upon the constituents of the Third Senatorial District. To postpone a decision on the qualifications of candidates until after the November Election could cause the constituents of the Third Senatorial District to go unrepresented until a Special Election could be held. A Special Election would result in an unnecessary expense.

WHEREFORE, Petitioners pray the Senate of Pennsylvania to set aside the Nomination Petition filed by Roxanne H. Jones for Senator in the General Assembly and to direct the Secretary of the Commonwealth of Pennsylvania accordingly.

Respectfully submitted,
JAMES J. BINNS, ESQ.

DATED: March 19, 1984

CERTIFICATE OF SERVICE

A true and correct copy of this Petition has been duly served upon Roxanne H. Jones by her attorney, Michael T. McCarthy, on Monday, March 19, 1984, in Harrisburg, Pennsylvania.

JAMES J. BINNS, ESQ.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA) SS:

Personally appeared before me, a notary public in and for said Commonwealth and County, Robert Mitchel, who being duly sworn according to law, deposes and says that he is one of the Petitioners herein and that the facts set forth in the foregoing Petition are true to the best of his knowledge, information and belief.

ROBERT L. MITCHELL

Sworn to and subscribed before
me the 19th day of March 1984
WAYMOND RAY, Notary Public

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA) SS:

Personally appeared before me, a notary public in and for said Commonwealth and County, Elenor Smith, who being duly sworn according to law, deposes and says that she is one of the Petitioners herein and that the facts set forth in the foregoing Petition are true to the best of her knowledge, information and belief.

ELENOR SMITH

Sworn to and subscribed before
me the 19th day of March 1984
WAYMOND RAY, Notary Public

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA) SS:

Personally appeared before me, a notary public in and for said Commonwealth and County, Zahir Hamid Ra, who being duly sworn according to law, deposes and says that he is one of the Petitioners herein and that the facts set forth in the foregoing Petition are true to the best of his knowledge, information and belief.

ZAHIR HAMID RA

Sworn to and subscribed before
me the 19th day of March 1984
WAYMOND RAY, Notary Public

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA) SS:

Personally appeared before me, a notary public in and for said Commonwealth and County, Raymond McCall, who being duly

sworn according to law, deposes and says that he is one of the Petitioners herein and that the facts set forth in the foregoing Petition are true to the best of his knowledge, information and belief.

RAYMOND K. McCALL

Sworn to and subscribed before
me the 19th day of March 1984
WAYMOND RAY, Notary Public

IN THE COMMONWEALTH COURT
OF PENNSYLVANIA

In re:
Nomination Petition of :
ROXANNE H. JONES for :
Nomination of the :
Democratic Party for :
Senator in the Pennsyl- :
vania General Assembly :
from the Third Senatorial :
District : No. 345 C.D. 1984

BEFORE: HONORABLE THEODORE O. ROGERS, Judge

Argued: February 13, 1984

"EXHIBIT A"

OPINION BY JUDGE ROGERS
FILED: February 22, 1984

T. Milton Street, the incumbent State Senator representing the Third Senatorial District of Pennsylvania and a candidate for nomination of the Democratic Party for a new term in that office, and others, have filed objections to the nomination petition of Roxanne H. Jones for the nomination of the Democratic Party to the same office.

The objectors raise two questions. The first is that the Candidate's Affidavit executed and sworn to by Roxanne H. Jones on January 15, 1984 states that she had filed a Statement of Financial Interest for the preceding calendar year with the State Ethics Commission as required by Section 4(b) of the State Ethics Act, 65 P.S. §404(b), when in fact there was no such Statement on file with the Ethics Commission on January 15, 1984. The objectors contend that this circumstance should effect the invalidation of her nomination petition. However, on January 30, 1984, Ms. Jones did file with the State Ethics Commission a Statement of Financial Interest for the preceding calendar year and later the same day filed her nomination petition with the Candidate's Affidavit complained of attached with the State Bureau of Elections. We overrule this objection on the controlling authority of *Commonwealth, State Ethics Commission v. Baldwin*, 498 Pa. 255, 455 A.2d 1208 (1982), holding that in the absence of a deliberate attempt to falsify the Candidate's Affidavit, the failure of candidates to file Statements of Financial Interest with the State Ethics Commission before filing nomination petitions does not fatally taint the filing process so as to invalidate the nomination petitions and the Candidate's Affidavits containing attestations that the Statement of Financial Interests had been previously filed. There is no evidence here that there was a deliberate attempt to falsify the Candidate's Affidavit with respect to the Statement of Financial Interest. Indeed, here the Statement of Financial Interest was filed with the Ethics Commission before the nomination petition, with the Candidate's Affidavit, was filed with the Bureau of Elections. In the *Baldwin* case the Statements of Financial Interests were not filed with the Ethics Commission until after the nomination petitions had been filed with the Bureau of Elections.

The objectors' second challenge to Ms. Jones' nomination petition is to the effect that Ms. Jones is not qualified to be Senator for the Third Senatorial District because she will not have been an

inhabitant of the Third Senatorial District for one year next before the General Election to be held November 6, 1984, as required by the provision of Article 2, Section 5, of the Constitution of Pennsylvania. We will sustain this objection.

The General Election day in the year 1984 is November 6. It is undisputed on this record that Ms. Jones established a domicile for her and her then minor daughter at 845 North 7th Street, Philadelphia in the year 1970 and that she remained domiciled at that location until the events of this case. Eight Hundred Forty-five North 7th Street is not in the Third Senatorial District.

Ms. Jones contends, however, that she moved her domicile to 1714 North Bambrey Street, Philadelphia, which is in the Third Senatorial District, on October 15, 1983.

After hearing, we make the following findings of fact:

(1) Roxanne H. Jones and her daughter Wanda, who is now twenty-two years of age, established a domicile at Apartment 5C, a two-bedroom apartment in of the Marshall Court Apartments located at 845 North 7th Street, Philadelphia, Pennsylvania in the year 1970.

(2) Marshall Court apartment house is owned by the Philadelphia Housing Development Corporation. It is subsidized housing provided under the aegis of the Philadelphia Housing Authority.

(3) As of December, 1983 the contract rent for the two bedroom apartment occupied by Ms. Jones, as tenant, and her daughter as a member of her household, was \$265 of which the Philadelphia Housing Authority paid \$221 and Ms. Jones \$44.

(4) The required annual redetermination process required by Philadelphia Housing Authority of Ms. Jones' status as the tenant of the North 7th Street apartment began October 7, 1983. At that time Ms. Jones certified that she lived at the North 7th Street address.

(5) On or about November 1, 1983, still in pursuance of the redetermination process, Ms. Jones filed an application for the renewal of the tenancy at North 7th Street. On the application she twice recorded that she resided in the apartment at 845 North 7th Street.

(6) The application just mentioned was to continue as a tenant of Apartment 5C at 845 North 7th Street for one year beginning February 11, 1984.

(7) The regulations of the Philadelphia Housing Authority provide that one vacating a subsidized facility must give thirty days' advance notice; no such notice has ever been received by the Authority from Ms. Jones.

(8) Daughter Wanda's occupancy of the apartment on North 7th Street is irregular if her mother is not also living there because the Housing Authority's rule is that one person may not have a two bedroom apartment. Not only had Ms. Jones given the housing authorities no notice of Ms. Jones departure, no redetermination has been asked for or instituted in Wanda's behalf, which would be required for her continued sole occupancy of this or any other unit of Marshall Court.

(9) As a culmination of the redetermination process begun in October, 1983 and the application made in November, 1983, Ms. Jones received in January, 1984, a one year's lease as from February, 1984 for Apartment 5C at Marshall Court, 843 North 7th Street apartment.

(10) Ms. Jones paid her required share of the rent for the North 7th Street apartment for January, 1984.

(11) Food stamps were sent to Ms. Jones monthly through January, 1984 to the North 7th Street address.

(12) Ms. Jones' medical cards were sent to her by the assistance authorities to the North 7th Street address each month through January, 1984.

(13) The telephone at the North 7th Street apartment is in the name of Roxanne H. Jones and the last bill was sent to her at the North 7th Street address on January 25, 1984.

(14) As of the date of our hearing, February 13, 1984, Ms. Jones had not changed her mailing address from the North 7th Street address. Her mail still goes to that address.

(15) Ms. Jones' address with the public assistance authorities was never changed from 845 North 7th Street.

(16) Ms. Jones voted on November 8, 1983 from the polling place appropriate for her North 7th Street address. On January 18, 1984, she changed her address with the registration commission from 845 North 7th Street to 1714 North Bambrey Street. On the notice of change Ms. Jones said that she had moved to Bambrey Street in September, 1983. October 8, 1983 was the last day prior to the election on November 8, 1983 for changing one's address for registration purposes. Only persons who moved after October 8, 1983 were eligible to vote at their former election district on November 8, 1983, despite which, as noted, Ms. Jones voted from her North 7th Street address at that election.

(17) On October 15, 1983, Ms. Jones moved some of her clothes and "papers" from 845 North 7th Street to a room in the residence of William Ervin, Sr., at 1714 North Bambrey Street.

Ms. Jones testified that on October 15, 1983 she moved from 845 North 7th Street to 1714 North Bambrey Street, the address of William Ervin, Sr., a friend, who had proposed marriage to her and whose proposal she still has under consideration. She testified that she occupies a bedroom in Mr. Ervin's home. We have found in this regard only that Ms. Jones has moved some clothes and papers to 1714 North Bambrey Street because that is the only fact of this aspect of the case advanced by Ms. Jones which we firmly believe.

Article 2, Section 5 of the Constitution of Pennsylvania provides that Senators "shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election (unless absent on the public business of the United States or of this State, and shall reside in their respective districts during their term of service.)" A leading Pennsylvania case concerning the meanings and effect of the words inhabitant (habitation) and reside (residence) as used in Article 2, Section 5, is *Lesker Case*, 377 Pa. 441, 105 A.2d 376 (1954). There it was held, on abundant earlier authority, (1) that one's inhabitance or residence is one's domicile; (2) that one's domicile is one's permanent home establishment, one's fixed, permanent, home to which one always intends to return; (3) that "to accomplish a change of domicile there must be not only the animus to change but the factum as well" and (4) that "there must be the intention to remain" at the new domicile.

It is also the law (5) that a domicile once acquired is presumed to continue until it is shown to have been changed; (6) that the burden of proving a change of domicile rests on the person making the allegation of a change; and (7) that the mere absence from the fixed home or domicile will not effect a change of domicile. See *Laudenslager's Well*, 430 Pa. 33, 240 A.2d 33 (1968).

The application of the facts we have found to the principles of law just restated, leads ineluctably to the conclusion that Ms. Jones was not domiciled in the Third Senatorial District on or before November 6, 1983. Ms. Jones had the burden of proving that she changed her domicile from the apartment on North 7th Street to the room in Mr. Ervin's house on Bambrey Street on October 15, 1983, as she asserted or some other time before November 6, 1983. The facts belie either an actual or intended change of domicile. Her daughter remained at North 7th Street, her mailing address and telephone number were not changed, and during October, November and December, 1983, and January, 1984, she repeatedly reported to officials of the Philadelphia Housing Authority that she lived in the apartment at North 7th Street and that she would continue to live there during the year 1984. She voted from the North 7th Street address at the Municipal Election in 1983, on November 8, 1983; and in December, 1983 or January, 1984, she accepted a lease for Apartment 5C,

Marshall Court, 845 North 7th Street for one year to commence in February, 1984.

Indeed, the facts demonstrate at best for Ms. Jones that she may recently at times have been absent from her domicile on North 7th Street; but as we have seen, mere absence will not effect a change of domicile. Ms. Jones admits visiting and spending the night with her daughter at North 7th Street; and she has no firm plans to marry Mr. Ervin whose proposal of marriage she says was the reason why she moved into a bedroom in his house in the Third Senatorial District.

Being convinced that Ms. Jones is still domiciled at apartment 5C, Marshall Court, 845 North 7th Street, a location not in the Third Senatorial District, we are constrained to enter the following:

ORDER

AND NOW, this 22nd day of February, 1984, the nomination petition of Roxanne H. Jones, Democratic candidate for Senator in the General Assembly from the Third Senatorial District in Philadelphia County, is hereby set aside. The prothonotary is directed to notify forthwith the parties hereto, or their counsel, of this Order and also to certify and forward a copy thereof to the Secretary of the Commonwealth of Pennsylvania.

THEODORE O. ROGERS, J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re:

Nomination Petition of	:	
ROXANNE H. JONES for	:	
Nomination of the	:	
Democratic Party for	:	
Senator in the Pennsyl-	:	
vania General Assembly	:	
from the Third Senatorial	:	
District	:	No. 345 C.D. 1984

ORDER

AND NOW, this 22nd day of February, 1984, the nomination petition of Roxanne H. Jones, Democratic candidate for Senator in the General Assembly from the Third Senatorial District in Philadelphia County, is hereby set aside. The prothonotary is directed to notify forthwith the parties hereto, or their counsel, of this Order and also to certify and forward a copy hereof to the Secretary of the Commonwealth of Pennsylvania.

THEODORE O. ROGERS, J.

[J-55-1984] IN THE SUPREME COURT OF PENNSYLVANIA Middle District

In re:	:	No. 16 M.D.
	:	Appeal Docket 1984
Nomination Petition of	:	
ROXANNE H. JONES for	:	Appeal from the Order
Nomination of the	:	of the Commonwealth
Party for Senator in the	:	Court dated
Pennsylvania General	:	Feb. 22, 1984,
Assembly from the Third	:	entered at No. 345
Senatorial District	:	C.D. 1984
	:	ARGUED: March 8, 1984

ORDER

PER CURIAM

FILED: MARCH 15, 1984

Article II, section 5 of the Pennsylvania Constitution sets forth the "standing qualifications" for membership in the Senate and the House of Representatives of Pennsylvania. Cf. Powell v. McCormack, 395 U.S. 486 (1969). Under section 9 of that same Article, exclusive jurisdiction for the testing of these qualifications is conferred upon the body itself. 72 Am. Jur.2d, States § 44. "The nonjusticiability of a political question is primarily a function of the separation of powers." Baker v. Carr, 369 U.S. 186, 210 (1962). Therefore this matter is not justiciable and the order of the Commonwealth Court is vacated.

Mr. Justice McDermott and Mr. Justice Hutchinson would find the matter to be justiciable and would reach the merits.

Mr. Justice Larsen did not participate in the consideration and decision of this case.

"EXHIBIT B"

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair wishes to announce he has made the following appointment:

Senator J. Doyle Corman as Chairman of the Senate Bipartisan Committee on Office Automation.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 20, 1984

9:30 A.M.	Joint Senate and House	Senate Majority
	AGRICULTURE AND RURAL	Caucus Room
	AFFAIRS (to consider	
	Farmland Preservation in	
	Pennsylvania, hearing	
	testimony from spokesmen	
	for American Farmland Trust,	
	Maryland Farmland Preservation,	
	and Pa. Farmers' Assn.)	
10:30 A.M.	COMMUNITY AND	Room 459,
	ECONOMIC DEVELOPMENT	4th Floor
	(to consider Senate Bills	Conference Rm.,
	No. 664, 1056, 1151, 1170;	North Wing
	House Bill No. 1751 and any	
	other business that may come	
	before the committee)	
11:00 A.M.	LOCAL GOVERNMENT	Room 461,
	(to consider House	4th Floor
	Bills No. 502, 504,	Conference Rm.,
	744, 962, 1242, 1576,	North Wing
	1726 and 1727)	
11:00 A.M.	RULES AND EXECUTIVE	Senate Majority
	NOMINATIONS (to con-	Caucus Room
	sider Senate Resolution No.	
	107; matters relating to the	

candidacy of Roxanne Jones
in the Third Senatorial
District and certain
Executive Nominations)

12:00 Noon JUDICIARY (to consider Senate Bills No. 475, 1050, 1173, 1174, 1211 and House Bill No. 1672) Room 459, 4th Floor Conference Rm., North Wing

3:00 P.M. STATE GOVERNMENT (to consider House Bill No. 1177) Room 459, 4th Floor Conference Rm., North Wing

WEDNESDAY, MARCH 21, 1984

9:00 A.M. Legislative Budget and Finance Committee (purposes of meeting are as follows: Room 461, 4th Floor Conference Rm., North Wing

1. Provision of a progress report on the Dept. of Transportation Performance Audit;
2. Consideration for public release of a report on State bridge inspection activities in Pennsylvania;
3. Discussion of FY 1984-85 funding requirements for sunset performance audits;
4. Consideration of a new study project involving evaluation of consumer protection activities within Pennsylvania State Government)

9:00 A.M. PUBLIC HEALTH AND WELFARE (to consider proposed regulation 14-229 from the Department of Public Welfare concerning co-payment for medical assistance services) Room 459, 4th Floor Conference Rm., North Wing

10:00 A.M. Conference Committee on Senate Bill No. 503 Room 460, 4th Floor Conference Rm., North Wing

MONDAY, MARCH 26, 1984

1:00 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 981, 987, 1196, 1246, 1279; House Bills No. 132, 331, 1373 and PUC Regulations L840097, Proposed Rules of Practice and Procedure) Room 461, 4th Floor Conference Rm., North Wing

TUESDAY, MARCH 27, 1984

10:00 A.M. AGING AND YOUTH (to consider Senate Bill No. 748 and House Bill No. 1305) Room 461, 4th Floor Conference Rm., North Wing

THURSDAY, APRIL 5, 1984

2:30 P.M. Independent Regulatory Review Commission Heritage Rm. A, 333 Market St.

THURSDAY, APRIL 19, 1984

2:30 P.M. Independent Regulatory Review Commission Heritage Rm. A, 333 Market St.

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Tuesday, March 20, 1984, at 1:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 7:16 p.m., Eastern Standard Time.