

Legislative Journal

WEDNESDAY, MARCH 28, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 21

SENATE

WEDNESDAY, March 28, 1984.

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

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

PRAYER

The Chaplain, the Reverend Mr. LOUIS LaGATTA, Pastor of the Christian Assembly Church, New Castle, offered the following prayer:

Shall we pray.

May God be merciful unto us and bless us and cause His face to shine upon us, that we may know His ways upon the earth and His saving help among all the nations.

Let the people praise Him, let the people praise their God. May the earth yield her increase and may our God bless it.

May our Heavenly Father be with you today throughout all your proceedings. May He guide and direct you and may He give each of you traveling mercies as you return home.

In His precious name, we ask all these things. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of March 27, 1984.

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

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENT BY THE SECRETARY

The PRESIDING OFFICER. As a special order of business, we will have announcements by the Secretary.

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Public Health and Welfare to meet off the floor today for the purpose of considering Senate Resolution No. 109.

LEGISLATIVE LEAVES

Senator JUBELIRER. Mr. President, I request, what I gather is called a Harrisburg leave or Capitol leave, a tempo-

rary legislative leave of absence for Senator Hopper who is attending a meeting of the Revenue Bond Program Development Committee of the Pennsylvania Higher Education Assistance Agency.

The PRESIDING OFFICER. Senator Jubelirer requests a Capitol leave for Senator Hopper. Are there any objections? The Chair sees none and the leave is granted.

Senator SCANLON. Mr. President, I request a legislative leave of absence for Senator O'Pake who is testifying before the Delaware River Basin Commission in Wilmington, Delaware. I also request a legislative leave of absence for Senator Lloyd who is meeting with the Philadelphia Sportsmen's Association in connection with the issue of noise pollution on the rifle ranges in Pennsylvania.

The PRESIDING OFFICER. Senator Scanlon requests legislative leaves for Senator O'Pake and Senator Lloyd. Are there any objections? The Chair sees none and the leaves are granted.

LEAVES OF ABSENCE

Senator JUBELIRER asked and obtained leave of absence for Senator HAGER, for today's Session, for personal reasons.

Senator SCANLON asked and obtained leave of absence for Senator FUMO, for today's Session, for personal reasons.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 6, 201 and 453, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

GENERAL COMMUNICATIONS

BILLS INTRODUCED AND REFERRED

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

March 27, 1984

Senators STAUFFER, HOWARD, HESS, O'CONNELL, STAPLETON, CORMAN, BRIGHTBILL, REIBMAN, SHAFFER, SHUMAKER, ANDREZESKI, HELFRICK, HOPPER, STOUT, BELL, SNYDER, WENGER, JUBELIRER, LOEPER and TILGHMAN presented to the Chair **SB 1320**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for additional supplemental annuities.

Which was committed to the Committee on FINANCE, March 27, 1984.

Senators WILT, FISHER, ZEMPRELLI, EARLY, PECORA, JUBELIRER, SCANLON, ROSS and BODACK presented to the Chair **SB 1321**, entitled:

An Act making an appropriation to the Pittsburgh Cancer Institute, Pittsburgh.

Which was committed to the Committee on APPROPRIATIONS, March 27, 1984.

Senators HAGER, ZEMPRELLI, BRIGHTBILL, JUBELIRER, HESS, HOPPER, RHOADES, O'CONNELL, PECORA, HELFRICK, WENGER, BELL, FISHER, CORMAN, SHUMAKER, SNYDER, TILGHMAN, HOLL, LOEPER, STAUFFER, WILT, STREET, STOUT, LEWIS, O'PAKE, FUMO, LINCOLN, WILLIAMS, EARLY, BODACK, STAPLETON, MUSTO, SINGEL, MOORE and HOWARD presented to the Chair **SB 1322**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the qualifications of candidates for membership in the General Assembly.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 27, 1984.

Senators LEWIS, SINGEL, STAPLETON, REIBMAN, O'PAKE, KELLEY and ANDREZESKI presented to the Chair **SB 1323**, entitled:

An Act amending the act of October 15, 1980 (P. L. 950, No. 164), entitled "Commonwealth Attorneys Act," providing for the review and approval of all contracts for legal services initiated by the executive branch or an executive agency and for filings and reports relating to such contracts for legal services.

Which was committed to the Committee on JUDICIARY, March 27, 1984.

Senator TILGHMAN presented to the Chair **SB 1324**, entitled:

An Act amending the act of July 15, 1983 (P. L. 596, No. 3A) entitled, "An act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983," providing additional appropriations.

Which was committed to the Committee on APPROPRIATIONS, March 27, 1984.

Senator TILGHMAN presented to the Chair **SB 1325**, entitled:

An Act amending the act of July 15, 1983 (P. L. 597, No. 4A) entitled "An act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983," providing an additional appropriation.

Which was committed to the Committee on APPROPRIATIONS, March 27, 1984.

RESOLUTION INTRODUCED AND REFERRED

The PRESIDING OFFICER laid before the Senate the following Senate Resolution numbered, entitled and referred as follows, which was read by the Clerk:

March 27, 1984

MEMORIALIZING THE SENATE OF THE UNITED STATES TO ENACT LEGISLATION LIMITING THE ALLOWANCE OF CONSTRUCTION WORK IN PROGRESS COSTS BY THE FEDERAL ENERGY REGULATORY COMMISSION

Senators BODACK, BELL, MELLOW, STAUFFER, ANDREZESKI, RHOADES, LINCOLN, LLOYD, REIBMAN, WILLIAMS, HESS, SHAFFER, HELFRICK, PECORA and SINGEL offered the following resolution (**Senate Resolution No. 116**), which was read and referred to the Committee on Consumer Protection and Professional Licensure:

In the Senate, March 27, 1984.

A RESOLUTION

Memorializing the Senate of the United States to enact legislation limiting the allowance of construction work in progress costs by the Federal Energy Regulatory Commission.

WHEREAS, In March of 1983, the Federal Energy Regulatory Commission, in a drastic departure from past practices, voted to permit electric utilities to recover construction work in progress costs by permitting up to 50% of such costs to be included in the rate base of wholesale customers; and

WHEREAS, The Commonwealth of Pennsylvania enacted in December of 1982, legislation which would restrict the authority of the Public Utility Commission to permit recovery of construction work in progress costs; and

WHEREAS, There is a certain manifest injustice in forcing utility customers to subsidize utility companies and incur costs for facilities of dubious value when the customers have no input in the decision to build and operate such facilities; and

WHEREAS, The United States House of Representatives overwhelmingly passed legislation imposing restriction on the Federal Energy Regulatory Commission; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania memorialize the Senate of the United States to enact legislation limiting the power of the Federal Energy Regulatory Commission to permit collection of construction work in progress costs; and be it further

RESOLVED, That copies of this resolution be immediately transmitted to the President pro tempore of the Senate of the

United States, to the Senate Energy Committee and to each Senator from Pennsylvania.

REPORT FROM COMMITTEE

Senator SNYDER, from the Committee on Judiciary, reported the following bill:

SB 1211 (Pr. No. 1880) (Amended)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for payment by the Commonwealth of the costs and expenses incurred in trials resulting from issuance of presentments by multi-county investigating grand juries.

GENERAL COMMUNICATIONS

DISCHARGE PETITIONS

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

In the Senate, March 28, 1984.

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

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

1. The nomination was presented to the Senate on January 3, 1984; and
2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

John S. Cupp, Jr., Esq.	Member Board of Trustees of Connellsville State General Hospital
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Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

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

1. The nomination was presented to the Senate on January 3, 1984; and
2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

The Honorable Anthony Geyelin	Insurance Commissioner
	Edward P. Zemprelli
	Eugene F. Scanlon
	Robert J. Mellow
	Francis J. Lynch
	James E. Ross

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

In the Senate, March 28, 1984.

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

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

1. The nomination was presented to the Senate on January 3, 1984; and
2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Royal D. Hart	Member Pennsylvania Board of Probation and Parole
	Edward P. Zemprelli
	Eugene F. Scanlon
	Robert J. Mellow
	Francis J. Lynch
	James E. Ross

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

In the Senate, March 28, 1984.

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

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

1. The nomination was presented to the Senate on January 3, 1984; and
2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Fay B. Higgins	Member Snyder County Board of Assistance Edward P. Zemprelli Eugene F. Scanlon Robert J. Mellow Francis J. Lynch James E. Ross
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The PRESIDING OFFICER. The communications will be laid on the table.

CALENDAR

SPECIAL ORDER OF BUSINESS

HB 504 CALLED UP OUT OF ORDER

HB 504 (Pr. No. 2688) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator JUBELIRER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 504 (Pr. No. 2688) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), changing the date for filing financial reports with the Department of Community Affairs.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—45

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

NAYS—0

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

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

RECESS

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

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

AFTER RECESS

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

LEGISLATIVE LEAVES

Senator JUBELIRER. Mr. President, I request a Capitol legislative leave of absence for the remainder of today's Session for Senator Wilt who is attending the Pennsylvania Higher Education Assistance Agency board committee meeting.

THE PRESIDING OFFICER. Senator Jubelirer requests a Capitol legislative leave of absence for Senator Wilt for the remainder of today's Session. Are there any objections? The Chair sees none and the leave is granted.

Senator JUBELIRER. Mr. President, in the same vein, Senator Pecora has a meeting in the Governor's Office and I request a similar leave for him.

The PRESIDING OFFICER. Senator Jubelirer requests a Capitol legislative leave of absence for Senator Pecora. Are there any objections? The Chair sees none. The leave is granted.

CONSIDERATION OF CALENDAR RESUMED

REPORT OF COMMITTEE OF CONFERENCE

REPORT ADOPTED

SB 503 (Pr. No. 1857) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," further providing for assessments when sewer connection bans are imposed.

Senator JUBELIRER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 503.

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

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

YEAS—45

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 730 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

SB 408 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 437 (Pr. No. 1831) — The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain public agencies in the Commonwealth of Pennsylvania to purchase or lease motor vehicles which are manufactured or assembled in the United States and imposing a penalty.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 437.

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

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

YEAS—45

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

NAYS—0

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

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

SB 525 (Pr. No. 1815) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 10, 1975 (P. L. 383, No. 110), entitled "Physical Therapy Practice Act," providing for the certification of athletic trainers by the State Board of Physical Therapy Examiners; creating an Athletic Trainer Advisory Committee; authorizing the setting of educational standards, certification standards and fees, for the renewal, revocation and suspension of certifications; further providing standards for the practice of physical therapy; making an appropriation; and providing penalties for violations of the act.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 525.

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

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

YEAS—45

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

NAYS—0

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

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

THIRD CONSIDERATION CALENDAR

**PREFERRED APPROPRIATION BILL
OVER IN ORDER**

HB 1919 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS OVER IN ORDER

HB 8, 224 and **SB 277** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 502 (Pr. No. 563) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Home Rule Charter and Optional Plans Law," approved April 13, 1972 (P. L. 184, No. 62), regulating time of petitions.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—45

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

NAYS—0

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

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

HB 686 (Pr. No. 1488) — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The Game Law," approved January 3, 1937 (P. L. 1225, No. 316), further providing for prohibited property damage; providing for civil liability for property damage; prohibiting hunting or trapping in unharvested fields; and imposing penalties.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—45

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

NAYS—0

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

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

BILLS OVER IN ORDER

SB 934 and **1083** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1172 (Pr. No. 1876) — The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—45

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 1242 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1832 (Pr. No. 2681) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—45

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

NAYS—0

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

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

SECOND CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

HB 226, SB 1078 and 1112 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS OVER IN ORDER

HB 132, 178, 331, 511, SB 663, 664, 748, 794, HB 846 and 902 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 926 (Pr. No. 1877) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "articulated bus"; and requiring possession of a class 3 license to operate certain articulated buses.

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

BILLS OVER IN ORDER

SB 948, HB 962, SB 981, 987, 1042, 1084, 1101, 1102, 1151 and 1152 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION AMENDED

SB 1154 (Pr. No. 1773) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for unlawful methods of hunting; further providing for killing wildlife which destroys property; and providing penalties.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Bill, page 7, by inserting between lines 27 and 28:

Section 3. The act is amended by adding sections to read:

Amend Sec. 2 (Sec. 724.1), page 7, line 29, by inserting after "any": protected

Amend Sec. 2 (Sec. 724.4), page 8, line 30, by inserting after "other": protected

Amend Sec. 2 (Sec. 724.5), page 9, lines 16 through 20, by striking out all of lines 16 through 19 and "(7)" in line 20 and inserting: (6)

Amend Sec. 2 (Sec. 724.5), page 9, line 24, by striking out "(8)" and inserting: (7)

Amend Sec. 2 (Sec. 724.5), page 9, lines 27 through 30; page 10, lines 1 through 5, by striking out all of said lines on said pages and inserting"

(b) A person violating a provision of this section or of section 724, 724.1, 724.2, 724.3 or 724.4 shall be liable for the fines provided in section 731.

Amend Sec. 3, page 10, line 6, by striking out "3" and inserting: 4

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.

SB 1155 (Pr. No. 1774) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," providing for nonlicensed hunting and trapping on detached farmlands within ten air miles of the primary farm.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1 (Sec. 317), page 2, lines 19 through 30; and page 3, lines 1 through 15, by striking out all of said lines on said pages and inserting:

(a) Unless the privilege to hunt or trap wildlife has been denied, a person domiciled within this Commonwealth who is regularly engaged in cultivating the soil for general farm crop purposes, commercial truck growing, commercial orchards or commercial nurseries as a primary means of gaining a livelihood, may hunt and trap wildlife on the land cultivated by him without a hunter's or trapper's license as required by this act. The person must be at least twelve years of age and if he is a first-time hunter, he must also have attained accreditation in an approved hunter education program. Persons eligible to hunt or trap wildlife without a license shall include the owner, lessee or tenant of the cultivated land, the members of his family or household and his regularly hired help.

(b) In addition to the land cultivated by him, a person exempted from license requirements under this section shall also be eligible to hunt or trap wildlife without a license on the following lands:

(1) any woodlands connected to the cultivated land and operated as a part of such land;

(2) detached land which is operated under written lease as a part of the same farm and is within ten air miles of the home farm; and

(3) privately owned land which lies immediately adjacent to and is connected with the cultivated land if the owner of such private land has given his written consent.

On the question,

Will the Senate agree to the amendment?

LEGISLATIVE LEAVE

Senator SCANLON. Mr. President, Senator Stapleton had to leave the floor to meet with Secretary Black and some senior citizens from Jefferson County. I am requesting a Capitol legislative leave of absence for him.

THE PRESIDING OFFICER. Senator Scanlon requests a Capitol legislative leave of absence for Senator Stapleton. Are there any objections? The Chair sees none. The leave is granted.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILL OVER IN ORDER

SB 1159 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 1168 (Pr. No. 1546) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as amended, "Pennsylvania Municipalities Planning Code," revising, amending, adding and changing provisions.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1173, 1174, HB 1177, SB 1196, 1236, 1279, 1291, HB 1373, 1468 and 1576 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1672 (Pr. No. 2738) — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for provisions relating to crime victims' compensation; reestablishing and continuing the Crime Victim's Compensation Board; and making an editorial change.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

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

SUPPLEMENTAL CALENDAR NO. 1

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS IN PART

SB 201 (Pr. No. 1868) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for safe drinking water; imposing powers and duties on the Department of Environmental Resources in relation thereto; and appropriating certain funds.

On the question,

Will the Senate concur in the amendments made by the House?

LEAVE OF ABSENCE

Senator JUBELIER asked and obtained leave of absence for Senator HOWARD, for remainder of today's Session, for personal reasons.

And the question recurring,

Will the Senate concur in the amendments made by the House?

MOTION TO CONCUR IN PART

Senator FISHER. Mr. President, I move that the Senate do concur in all of the House amendments to Senate Bill No. 201, except for Amendment No. A1221 and Amendment No. A1193, in which I recommend the Senate nonconcur in those amendments. The amendments just read are found in the table of contents in Section 13, relating to the replacement of lead pipes, lines 3 through 6 on page 21 and Section 14 relating to certain septic systems prohibited on line 7 through 11 on page 21.

The PRESIDING OFFICER. Senator Fisher moves that the Senate do concur in the House amendments placed in Senate Bill No. 201, with the exception of House amendments A1221 and A1193.

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

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

YEAS—44

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

NAYS—0

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

Senator FISHER. Mr. President, I move that the Senate do nonconcur in House amendments A1221 and 1193.

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

A voice vote having been taken, the question was determined in the affirmative, and the amendments were nonconcurring in.

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

UNFINISHED BUSINESS

REPORT FROM COMMITTEE

Senator PECORA, from the Committee on Military and Veterans Affairs, reported the following bill:

HB 1569 (Pr. No. 2744) (Amended)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a tax exemption to surviving spouses of certain veterans.

MEETING OF THE COMMITTEE
ON PUBLIC HEALTH AND WELFARE

The PRESIDING OFFICER. The Senate Committee on Public Health and Welfare will convene immediately in the Rules Committee room off the floor.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Eric E. Dransfield by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. William E. Grant, Sr. by Senator Bodack.

Congratulations of the Senate were extended to Matt Gerhard by Senator Kratzer.

Congratulations of the Senate were extended to the Opera Ebony/Philadelphia, Inc. by Senator Lewis.

Congratulations of the Senate were extended to James Francis Castor, Eric Joseph Staquet, Thomas Alan Johnson, Jr., James William Johnson and to the Ladies Auxiliary of the Garrettford-Drexel Hill Fire Company by Senator Loeper.

Congratulations of the Senate were extended to Eleanore Yots, Georgie Reed, Michael Paden, Ermin "Skeets" Moschetta, Charles Martoni, Albert A. Leach, Thomas Heron, Terry Forcareta, Robert Ferguson, Joseph Burgo, Walter "Peter" Antimarino and to the Edgewood Volunteer Fire Department by Senator Pecora.

Congratulations of the Senate were extended to James Joseph McGinley by Senator Rhoades.

Congratulations of the Senate were extended to the South Baldwin Volunteer Fire Company of Pittsburgh by Senator Romanelli.

Congratulations of the Senate were extended to Mr. and Mrs. Charles W. Fields by Senator Shumaker.

Congratulations of the Senate were extended to Donald A. Stemmerich by Senator Stapleton.

Congratulations of the Senate were extended to the Titusville Area Chamber of Commerce on celebration of the anniversary of the birth of Colonel Edwin L. Drake and to the Grove City Chamber of Commerce by Senator Wilt.

SENATOR JUBELIRER REQUESTED
TO PRESIDE

The PRESIDING OFFICER. Will Senator Jubelirer approach the rostrum?

The PRESIDING OFFICER (Robert C. Jubelirer) in the Chair.

BILLS ON FIRST CONSIDERATION

Senator WENGER. 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 1211 and **HB 1569**.

And said bills having been considered for the first time,

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

**SENATE COMMITTEE APPOINTED
PURSUANT TO SENATE RESOLUTION
NO. 113**

The PRESIDING OFFICER. The Chair wishes to announce he has appointed the following Senators to serve as members of the Special Bipartisan Committee created pursuant to Senate Resolution No. 113 and pursuant to Senate Rule V, Section 2, to investigate the availability of safe drinking water in the Commonwealth and to study methods for maintaining adequate supplies of drinking water:

The gentleman from Luzerne, Senator O'Connell, Chairman; the gentleman from Butler, Senator Shaffer; the gentleman from Lebanon, Senator Brightbill; the gentleman from Allegheny, Senator Zemprelli; the gentleman from Lackawanna, Senator Mellow; and the gentleman from Luzerne, Senator Musto.

**SENATE COMMITTEE APPOINTED
PURSUANT TO SENATE RESOLUTION
NO. 38**

The PRESIDING OFFICER. The Chair wishes to announce he has appointed the following Senators to serve as members of the Task Force created pursuant to Senate Resolution No. 38 and pursuant to Rule V, Section 2, to investigate health care costs:

The gentleman from Montgomery, Senator Holl, Chairman; the gentleman from Centre, Senator Corman; the gentleman from Dauphin, Senator Shumaker; the gentleman from Philadelphia, Senator Hankins; and the gentleman from Allegheny, Senator Early.

BILLS SIGNED

The PRESIDING OFFICER (Robert C. Jubelirer) in the presence of the Senate signed the following bills:

SB 437, 525, HB 1726, 1727 and **1920**.

RECESS

Senator MOORE. Mr. President, for the benefit of the Members, there will be no more votes today. At this time I request a recess of the Senate subject to recall by the Chair.

The PRESIDING OFFICER. The Senate stands in recess subject to the call of the Chair.

AFTER RECESS

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

HOUSE MESSAGES

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 28, 1984

HB 1636 and **1817** — Committee on State Government.

BILLS SIGNED

The PRESIDING OFFICER (Robert C. Jubelirer) in the presence of the Senate signed the following bills:

HB 502 and **686**.

ADJOURNMENT

Senator SHAFFER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 24, 1984, at 2:00 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 1:35 p.m., Eastern Standard Time.