

Legislative Journal

WEDNESDAY, MAY 2, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 26

SENATE

WEDNESDAY, May 2, 1984.

The Senate met at 9:30 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, the Reverend Mr. DONALD E. VANKIRK, Pastor of Bethany United Methodist Church, Marysville, offered the following prayer:

To one and all, my deepest appreciation for the honor you have extended to me to come and pray with you this week. Thank you.

Eternal God; Sovereign Lord; We thank You today, God of all peoples, for this great land in which we live; for the people of our great Commonwealth; the rich, the poor, the young, the old; for the richness of national backgrounds, peoples of every ethnic tradition and culture.

We thank You for all that has made our state great; for the natural grandeur of our environment, but mostly for the tremendous resources in people: for industry, labor, management; for the arts, the crafts, the skills; indeed, for all who contribute to the well-being of our state.

God of love and mercy, we confess we are not always faithful to your highest precepts, as we ought to be. But we pray today You will be a cleansing breath, blowing away all the old dead leaves of our selfish ways, reviving our spirits with Your breath of life.

Hear, O God, our prayers of intercession: For those who suffer injustice, and endure less than equal opportunity; for those who struggle against prejudice, poverty, ignorance and oppression; for those who are overworked and underpaid; the hungry, the destitute, those driven to despair; the outcasts.

And today our special prayers hold before You, those in authority, those who lead in government. Endue our statesmen with unswerving dedication to duty, service and freedom. May they have patience and grace to deal with strained relationships. Grant them serenity and calm in the face of stress; gentleness when confronted by intolerance.

Enable all our persons in places of government to strike the fetters that enslave. For You have promised us, O God, that where Your spirit is, there is true liberty. Fill us with Your spirit, for we pray, trusting in Your grace, mercy, peace and love. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 1, 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.

LEGISLATIVE LEAVES

Senator JUBELIRER. Mr. President, I request temporary Capitol leaves of absence for Senator Fisher and Senator O'Connell who should be here momentarily, but may be delayed due to legislative business.

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

LEAVES OF ABSENCE

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

Senator SCANLON asked and obtained leaves of absence for Senator ROMANELLI and Senator LEWIS, for today's Session, for personal reasons.

COMMUNICATION FROM THE GOVERNOR

NOMINATION BY THE GOVERNOR
REFERRED TO COMMITTEE

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

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

May 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 Doctor Joseph Haller, Box 80, Sylvan Heights Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 1984, and until his successor is appointed and qualified, vice Evelyn H. Crawford, LL.D., York, deceased.

DICK THORNBURGH.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1242**.

GENERAL COMMUNICATIONS

BILL INTRODUCED AND REFERRED

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

May 1, 1984

Senators GREENLEAF, STAUFFER, ANDREZESKI and REIBMAN presented to the Chair **SB 1363**, entitled:

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), entitled "Real Estate Licensing and Registration Act," providing for contracts for the sale of promotional real estate.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 1, 1984.

REVISED LEGISLATIVE PROCEDURES FOR THE PUBLIC EMPLOYEE RETIREMENT STUDY COMMISSION

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

COMMONWEALTH OF PENNSYLVANIA
Public Employee Retirement
Study Commission
Harrisburg PA 17120

April 12, 1984

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

Dear Senator Hager:

This is to inform you that the Public Employee Retirement Study Commission has revised the legislative procedures adopted in January of 1983 to effect the attachment of actuarial notes to proposed legislation affecting public pension systems. A copy of the revised legislative procedures as approved by the Commission on April 11, 1984, is enclosed for your information.

The revision to the legislative procedures provides for the Commission to formally authorize the preparation of an actuarial

note whenever a request is received from the chairman of either the House Appropriations Committee or Senate Appropriations Committee for an actuarial note on a bill in the possession of the committee. The "advisory note" procedure will continue to be used for all other requests from committee chairmen for review of bills prior to consideration by a committee.

The Commission looks forward to continuing cooperation with you to address needed reform of public pension systems in the Commonwealth.

Sincerely,

GILMORE B. SEAVERS
Chairman

LEGISLATIVE PROCEDURES FOR THE PUBLIC EMPLOYEE RETIREMENT STUDY COMMISSION PURSUANT TO SECTION 7 OF ACT 66 OF 1981

I. IMPLEMENTATION BY THE GENERAL ASSEMBLY

A. At the beginning of each legislative session of the General Assembly, the Speaker of the House and the President Pro Tempore of the Senate formally advise the chairmen of each standing committee in their respective chamber of the actuarial review provisions implemented by Act 66 of 1981.

B. Both chambers of the General Assembly adopt procedures most consistent with their operating rules to ensure that committee-approved bills or floor-amended bills are not considered prior to receipt of an actuarial note from the Commission or the passage of 25 legislative days from the date of first consideration or adoption of the floor amendment.

1. Actuarial Note Requests for Committee-Approved Bills —

The Committee chairman in either chamber of the General Assembly shall notify the Commission upon reporting a bill to the floor which proposes any change relative to a public employee pension system and request preparation of an actuarial note.

2. Actuarial Note Requests for Floor-Amended Bills —

The majority leader of either chamber of the General Assembly shall request preparation of an actuarial note for the floor amended bill on behalf of the respective chamber. The Commission shall provide the actuarial note as expeditiously as possible.

3. Actuarial Note Requests for Bills Referred by Other Chamber —

When a committee in either chamber of the General Assembly approves without amendment a bill to the floor which has had an actuarial note attached in the other chamber, preparation of a new actuarial note is unnecessary. Where an amendment to the bill has been approved by the committee, the chairman shall notify the Commission and request preparation of a new actuarial note. The Commission shall provide the actuarial note as expeditiously as possible.

4. Actuarial Note Requests from the House or Senate Appropriations Committees —

Whenever a request is received by the Commission from the chairman of either the House Appropriations Committee or the Senate Appropriations Committee for an actuarial note on a bill in the possession of the committee, the Commission shall formally authorize preparation of the actuarial note, as opposed to an advisory note, and transmit the actuarial note to the requesting committee as expeditiously as possible.

II. RESPONSE BY THE COMMISSION

- A. The Commission acknowledges receipt of requests for the preparation of actuarial notes for committee-approved bills and floor-amended bills to the presiding officer of the requesting chamber of the General Assembly within 48 hours.
- B. The Commission transmits the requested actuarial notes to the presiding officer of each chamber of the General Assembly as promptly as possible, recognizing that the 25 legislative days permitted for the preparation of actuarial notes is a maximum rather than a norm. Where there are no substantive actuarial or policy implications, the Commission will communicate that fact as the requested actuarial note.
- C. The Commission provides copies of the transmittals of the requested actuarial notes to the following:
 1. the chairman and minority chairman of the requesting committee;
 2. the majority and minority leaders;
 3. the majority and minority whips;
 4. the majority and minority caucus chairmen;
 5. the majority and minority appropriation committee chairmen;
 6. the prime sponsor of the bill;
 7. the Secretary of the Senate;
 8. the Chief Clerk of the House; and
 9. the Director of the Legislative Reference Bureau.
- D. Upon the request of the committee chairman, the Commission staff may whenever possible provide supplemental reviews for bills prior to consideration by a committee. The information is transmitted to the committee chairman and minority chairman. Such assistance may contain actuarial data, but is considered to be an "advisory note" not constituting or substituting for the required actuarial note.
- E. The Commission staff provides advice and counsel to the members of the General Assembly on relevant matters pertaining to retirement plan design, financing, and administration.
- F. The Commission provides actuarial notes or advisory notes only to appropriate officials of the legislative and executive branches.
- G. The Commission transmits notice of its meetings to the Secretary of the Senate and Chief Clerk of the House for publication on the Senate and House daily meeting calendars.

BILL SIGNED

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

HB 1242.

CALENDAR

SPECIAL ORDER OF BUSINESS

HB 1395 CALLED UP OUT OF ORDER

HB 1395 (Pr. No. 2865) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator JUBELIRER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1395 (Pr. No. 2865) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the designation of waterways patrolmen.

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—42

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

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.

LEGISLATIVE LEAVES CANCELLED

Senator JUBELIRER. Mr. President, I would like the record to note the presence of Senator Fisher and Senator O'Connell who are back on the floor and will vote in person. I ask that their temporary Capitol leaves of absence be cancelled.

The PRESIDENT. Their presence is noted.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

SB 453 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

THIRD CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY

HB 132 — Without objection, the bill was passed over in its order temporarily at the request of Senator JUBELIRER.

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 224, SB 794, and 926 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 948 (Pr. No. 1940) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 27, 1961 (P. L. 1700, No. 699), entitled "Pharmacy Act," changing and adding definitions; providing for the licensing and permit requirements to practice pharmacy or conduct a pharmacy, for continuing education of pharmacists; and for revocation and suspension of licenses and permits; changing the composition and powers and duties of the Pennsylvania State Board of Pharmacy; further providing for unlawful acts; making editorial changes; and making a repeal.

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—42

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

NAYS—0

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

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

SB 1042 (Pr. No. 1938) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the identification of drivers of vehicles.

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—42

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

NAYS—0

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

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

SB 1078 (Pr. No. 1851) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), entitled, as amended, "Surface Mining Conservation and Reclamation Act," providing for a separation of requirements for license issuance and permit issuance; affecting the license application requirement of liability insurance for water supply restoration or replacement; establishing content requirements of landowner consent forms; providing for public hearings and publication of notice; providing for conservation of reclaimed land; requiring advertisement for bids for reclamation of bond forfeiture areas; creating a Reclamation Advisory Board and establishing its duties; prohibiting certain contracts; requiring contractors to pay workers at a particular rate; and requiring publication of contracts awarded.

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—43

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

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.

LEGISLATIVE LEAVE

Senator JUBELIRER. Mr. President, I request a temporary Capitol leave of absence for today for Senator Kusse who, as Chairman of the Committee on Transportation, is also a member of the Transportation Commission and that commission is meeting currently.

The PRESIDENT. Is there objection to a temporary Capitol leave of absence for Senator Kusse? The Chair hears none and that leave is granted.

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 1101 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1102 (Pr. No. 1941) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for after-the-fact payrolls.

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—42

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

NAYS—1

Lloyd

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

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

SB 1154 (Pr. No. 1939) — 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.

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—43

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

NAYS—0

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

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

BILLS OVER IN ORDER

SB 1279 and 1289 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1318 (Pr. No. 1860) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, redefining "children" and "lineal descendants"; and making editorial and technical amendments relating to inheritance and estate taxes.

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—43

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

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 1569 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1887 (Pr. No. 2866) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for free fishing licenses for certain disabled veterans; and further providing for free fishing days.

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—43

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

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

BILL ON SECOND CONSIDERATION

HB 226 (Pr. No. 2729) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304, No. 315), further providing for State grants to county departments of health and to certain municipalities.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 314 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL REREFERRED

HB 353 (Pr. No. 2841) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

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

BILL OVER IN ORDER

SB 664 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS REREFERRED

HB 824 (Pr. No. 2859) — The Senate proceeded to consideration of the bill, entitled:

An Act relating to the rights of victims of crime; and making an appropriation.

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

HB 825 (Pr. No. 2860) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the crime victims' compensation fund.

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

BILLS OVER IN ORDER

HB 846, 902 and 962 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

SB 1112 (Pr. No. 1942) — The Senate proceeded to consideration of the bill, entitled:

An Act regulating the practice of speech-language pathologists, audiologists and teachers of the hearing impaired; creating the State Board of Examiners in Speech-Language and Hearing with certain powers and duties; and prescribing penalties.

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

HB 1177 (Pr. No. 2864) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Race Horse Industry Reform Act," approved December 17, 1981 (P. L. 435, No. 135), providing for certain simulcasting of horse races; defining ownership interest subject to regulation; and providing for monitoring of wagering on video screens.

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

BILLS OVER IN ORDER

SB 1179, 1190, 1284, 1324, 1357 and HB 1576 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

MEETING OF THE COMMITTEE ON CONSUMER PROTECTION AND PROFESSIONAL LICENSURE

Senator JUBELIRER. Mr. President, Senator Bell, as Chairman of the Committee on Consumer Protection and Professional Licensure, has asked me to announce that the committee meeting scheduled for 10:00 o'clock this morning will take place after the Session today in the room in which it was scheduled.

CONSIDERATION OF CALENDAR RESUMED

HB 132 CALLED UP

HB 132 (Pr. No. 2835) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator JUBELIRER.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AMENDED

HB 132 (Pr. No. 2835) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for commission powers and duties relating to the use of coal; prohibiting certain natural gas utilities from utilizing a sliding scale of rates to recover natural gas costs; and further providing for procedures and standards for regulating the rates of natural gas utilities.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 2 (Sec. 1307), page 3, lines 13 and 14, by striking out "90 DAYS" and inserting: six months

Amend Sec. 2 (Sec. 1307), page 3, by inserting after "(E)":

In addition to the reports required by subsections (d) and (e), gas distribution companies subject to this subsection shall:

(i) Submit evidence in the form of testimony or some other manner showing how actual costs are different from costs allowed under this subsection.

(ii) Show how these costs are consistent with a least cost procurement policy as required by section 1317 (relating to determination of just and reasonable natural gas rates).

The commission shall allow these companies to recover the difference in these costs only after a hearing on the matter, if the commission makes a finding that the difference in costs was consistent with the requirements of section 1317.

Amend Sec. 3 (Sec. 1317), page 7, line 17, by inserting after "rates": 1308(d) (relating to voluntary changes in rates)

Amend Sec. 3 (Sec. 1317), page 7, line 18, by inserting after "ADJUSTMENTS": or any other rate proceeding

On the question,

Will the Senate agree to the amendment?

Senator BODACK. Mr. President, when House Bill No. 132 left the Committee on Consumer Protection and Professional Licensure several weeks ago, it was a strong statement of protection for the gas ratepayers of this state.

The current form of this bill has gutted some of those consumer protection aspects. There is virtually not much of anything left to benefit the people of our districts who use gas to cook and to keep warm.

Much of the language of the bill has remained intact but an important element has been inserted by the Gas Association. That is the time to review information given by the gas companies concerning gas rate increases and it has been reduced from nine months to three months.

It astounds me, Mr. President, when I think of what we will ask the PUC to do if we pass House Bill No. 132 as amended in the Committee on Appropriations. What we will be doing is we will be asking the PUC to take nine months to look at 20 percent of the utilities labor costs, cost of operations, et cetera. The PUC will then be required to look at the remaining 80 percent of their rate increase, the cost of the gas in just three months. It does not make sense if we really want to protect the gas users.

It is important that we eliminate automatic cost increases for natural gas utilities. The gas companies must provide a valid rationale for their rate request increases, and the PUC must be given the time to study all of the information so that the goal of the cheapest gas which is safe and adequate is provided for our constituents.

Mr. President, the one thing which was the bone of contention, as I understand it, was the reduction from nine months to three months. This did not sit well with almost all of the consumer groups across the state. In the past twenty-four hours we have had contact with the consumer groups and we have more of an agreement from them. We have checked with the Consumer Advocate's Office. Three months is a short period of time for the Consumer Advocate to look into these things, and we have suggested a six-month period of time as opposed to the nine months that was originally suggested. The

three months is amended into the bill, and I ask for a favorable vote on this amendment.

Senator MOORE. Mr. President, I rise to oppose the amendment mainly for the reason that by extending the length of time, we would increase the cost to the ratepayer. The longer it takes for these filings to be approved by the PUC, the more expense is incurred by the utilities for their operating costs, the cost of their loans, all of the costs that go into the base rate filings would accrue as time goes by. I think the more timely filing is in the best interests of the consumer. The bill as it stands now is a very strong, consumer-oriented bill and I think that is the way the bill should stand. About 80 percent of the operating costs of the gas utilities is in the purchase of gas. The Public Utility Commission, with the ninety-day time period in it, would have adequate time because over fifty companies are not included now. They can still use the sliding scale. Only about ten companies would be affected, therefore, their case load would be decreased. They would have more time to spend on these ten companies.

For those reasons, Mr. President, I think we should keep the bill in its present form and vote it as it is. I think it is a very strong consumer-oriented bill.

Senator BELL. Mr. President, this is very interesting in that on one side the amendments proposed by the Gas Association are consumer-oriented and on the other side—and they were the amendments that were put in by the Committee on Appropriations—we now have a proposal by the bona fide consumer groups that are no longer consumer-oriented. I know this puts us into a very interesting position and I certainly hope the press develops this. I am very pleased to hear that the gas utilities who have been ripping the people to pieces with their rates are at last consumer-oriented.

Now I am going to be factual. I talked to the Consumer Advocate and asked, "Can you, within the three-month period that the gas companies amendments provide, present a proper case for the consumers?"

He said, "It would be with the utmost difficulty." He almost said, "Impossible."

But I said, "Don't say the word impossible, nothing is impossible in life."

I call to the attention of the Members the fact that under the existing law, even without House Bill No. 132, the Consumer Advocate already has sixty days. All House Bill No. 132 does, as amended by the Committee on Appropriations, is give them thirty more days. All the gentleman from Allegheny, Senator Bodack, as the Minority Chairman of the Committee on Consumer Protection and Professional Licensure, has proposed is to come in with a compromise. In other words, the gas companies want to have it done in three months and the consumer groups originally want it done in nine months and Senator Bodack now says let us go to the middle ground and have six months. I say that is reasonable because if there is not sufficient time within the ninety days—and remember all these gas companies file their rates about the same time in June—the only remedy is to go in and do what they call a post performance audit with an auditor from the PUC. Then the

burden is on the Consumer Advocate to show that these rates are improper. He told me yesterday that they end up in court and the court decides the case five to six years later. Those Members who are going to vote with the gas companies, vote "no" on this bill. Those Members who are voting with the Consumer Advocate and the consumer organizations vote "yes." Again, do not be misled by the gas companies telling you who represent the people what is good for the consumer.

Senator LINCOLN. Mr. President, I think it is important to put things in their proper perspective at times. Although I agree with the previous speaker that the amendment will be more consumer-oriented in the bill as it is presently printed, the one thing I do not want to confuse is that the consumer groups and many Legislators, who have been involved in fighting this GCR process for a lot of years, wanted House Bill No. 132 in the form it was in prior to being sent to the Committee on Appropriations. The amendment that was made in the Committee on Appropriations was a very damaging amendment and there are a lot of us who are very upset at the manner in which the bill was amended. If that amendment would have been offered on the floor where it would have been fully debated, I think a lot of people would not have voted for it. Going from ninety days to six months is a little bit better than House Bill No. 132 in its present form. One of the things we have to remember is we are not just talking about going in and filing an application to allow the GCR to be incorporated in the gas bills that most of our constituents get, but we are talking about purchasing practices. What we are asking the utility companies to do is come in and prove that their purchasing practices have been prudent. I can tell the Members that I have documentation on one particular company that shows that on a federal level a decision was made that their purchasing practices were deplorable. To that same company here in Pennsylvania, our PUC said that their purchasing practices were irresponsible. I think the key to this is that if we are going to attack this problem and be able to go back to our constituents and say to them legitimately we have done something to try and help that problem, we have to at least go to six months. There has to be adequate time to examine the purchasing practices of the utility when they apply for the GCR approval and it cannot be done in ninety days.

Mr. President, another problem with the bill as written is that at the end of the ninety days, on the ninety-first day, if the PUC has not made a decision, those rates go into effect. At that time we have no recourse. The one thing we have to remember is when we do have any rate that is approved or goes into effect automatically, there is not going to be a refund if nine months later we find out that that was not a proper action. I am not satisfied with the six months, but I have been in this Legislature long enough to know that there are times that we cannot get 100 percent of what we want. But if this amendment fails, there is going to be further fighting done on House Bill No. 132. There will be efforts made at that point to get right down in the trenches and fight on the issue of this. The six months is a compromise. It is not the best of

what I wanted, it is not the best of what everybody else wanted on the consumer side, but it is a compromise and I am willing to support that amendment at this time. But, if it fails, there will be further efforts to attack the real problems with the bill as it is right now.

Senator SHUMAKER. Mr. President, I rise in support of this amendment. I, along with other Members of the Committee on Consumer Protection and Professional Licensure, have spent quite a bit of time at very large public hearings throughout this state. I attended every one of these hearings, and I think I felt the pulse of the people and their concern about the purchasing practices of the gas utilities in this Commonwealth. I would prefer to have the nine months. However, the only protection that the consumers have is through the Consumer Advocate's Office who has a statutory duty. To carry out that duty he needs the time necessary to prepare a proper case for presentation. Three months is simply not enough time. I, too, called the Consumer Advocate's Office yesterday and I think I got a very similar reply as the one given to the gentleman from Delaware, Senator Bell. They said it was nigh to impossible to do a proper job. What they are saying is, it is nigh to impossible to carry out their statutory duties to protect the consumers who purchase gas in this Commonwealth. I would prefer nine months. Six months is a compromise. It will be difficult to do but I think it will give them more time to carry out their duties. There is no other remedy that these people have under this law. That is their only bite at the apple. That is their only shot to see that they are using purchasing practices which will purchase the least costly gas. I think we must support this amendment. It is not all that I would have hoped for but it is a compromise and a compromise represents a step forward, and I urge my fellow Members of this Senate to support this amendment.

The PRESIDING OFFICER (John Stauffer) in the Chair.

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

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

YEAS—31

Andrezeski	Helfrick	Musto	Shumaker
Bell	Hess	O'Pake	Singel
Bodack	Holl	Reibman	Stapleton
Early	Howard	Rhoades	Stout
Fisher	Kratzer	Rocks	Street
Fumo	Lincoln	Ross	Williams
Greenleaf	Lloyd	Scanlon	Zemprelli
Hankins	Mellow	Shaffer	

NAYS—14

Brightbill	Kusse	Pecora	Tilghman
Corman	Loeper	Snyder	Wenger
Jubelirer	Moore	Stauffer	Wilt
Kelley	O'Connell		

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

The PRESIDING OFFICER. House Bill No. 132 will go over, as amended.

**GUESTS OF SENATOR JAMES J. RHOADES
PRESENTED TO SENATE**

Senator RHOADES. Mr. President, we have with us today from Schuylkill Haven Middle School the seventh grade students and their principals and teachers. I welcome them here to Harrisburg and ask the Senate to extend their usual warm welcome to them.

The PRESIDING OFFICER. Will the students who are guests of Senator Rhoades please rise and accept a warm welcome from the Members of the Senate.

(Applause.)

REQUEST FOR RECESS

Senator JUBELIRER. Mr. President, at this time I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to begin immediately in the Rules Committee room at the rear of the Senate Chamber. I see no reason why we cannot continue with the order of business except I need you back in the Rules Committee room, so we will just be at ease if we can, Mr. President, for the purpose of a meeting of the Committee on Rules and Executive Nominations.

PERMISSION TO ADDRESS SENATE

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

Senator ANDREZESKI. Mr. President, when we had our opening roll call on House Bill No. 1395, I was at a doctor's office and was unable to be part of that roll call. I would like the record to show that if I would have been present for that roll call, I would have voted in the affirmative.

The PRESIDING OFFICER. The remarks of the gentleman will be spread upon the record.

RECESS

The PRESIDING OFFICER. At this time the Senate will be in recess for a brief meeting of the Committee on Rules and Executive Nominations.

AFTER RECESS

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

UNFINISHED BUSINESS

**REPORT FROM COMMITTEE ON
RULES AND EXECUTIVE NOMINATIONS**

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

MEMBER OF THE ARCHITECTS
LICENSURE BOARD

March 21, 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 Stephen B. Hazzard, A.I.A., Box 10, Warrington 18976, Bucks County, Tenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond the expiration of such term, vice Carl J. Schmitt, Jr., A.I.A., Wilkes-Barre, 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 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 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

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 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 BOARD OF TRUSTEES OF
CONNELLVILLE STATE GENERAL HOSPITAL

March 20, 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 A. Pujia, D.D.S., 1309 Oak Street, Connellsville 15425, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Board of Trustees of Connellsville State General Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Walter J. Radishek, Perryopolis, 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 Walter R. Rossman (Urban), R. D. 3, Box 223, Ebensburg 19531, 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 BOARD OF TRUSTEES OF
DANVILLE STATE HOSPITAL

April 4, 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 Edward F. Reeser, R. D. 2, Milton 17847, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice William Ondo, Mount Carmel, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 11, 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 H. Edward Black, 1494 Letchworth Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Landscape Architects, to serve until July 12, 1986, and until his successor is appointed and qualified but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 11, 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 Elizabeth B. Martin, 31 Priscilla Lane, Rosslyn Farms 15106, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Landscape Architects, to serve until July 12, 1986, and until her successor is appointed and qualified, but not longer than six months beyond that period.

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.

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

March 21, 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 M. Huber, 113 Shannon Drive, Lancaster 17603, Lancaster County, Thirteenth 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 for three years or for so long as he is a full-time undergraduate student in attendance at the college, whichever period is shorter, vice John W. Stemler, Bowmanstown, graduated.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF MEDICAL
EDUCATION AND LICENSURE

April 2, 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 Shirley Fox, R.N. (Allied Health), 7721 Catherine Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Medical Education and Licensure to serve for a term of four years and until her successor shall have been appointed and qualified, vice Anne Pascasio, Ph.D., Mount Lebanon, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS

March 21, 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 Raymond M. Best, 30 Timber Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, to serve for a term of six years, or until his successor has been appointed and qualified, but not longer than six months beyond the six-year period, vice Donald C. Peters, Wexford, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS

March 21, 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 J. Levkusic, P. O. Box 1223, R. D. 1, Hillside, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, to serve for a term of six years, or until his successor has been appointed and qualified, but not longer than six months beyond the six-year period, vice Joseph A. Talvacchio, Philadelphia, whose term expired.

DICK THORNBURGH.
SHERIFF, IN AND FOR THE COUNTY
OF HUNTINGDON

March 30, 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 Mark E. Leamer, Jr., R. D. 1, Alexandria 16611, Huntingdon County, Thirtieth Senatorial District, for appointment as Sheriff, in and for the County of Huntingdon, to serve until the first Monday of January, 1986, vice Robert E. Norris, resigned.

DICK THORNBURGH.
SHERIFF, IN AND FOR THE COUNTY
OF SCHUYLKILL

April 2, 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 Daniel G. Grow, 223 Arch Street, Ringtown 17967, Schuylkill County, Twenty-ninth Senatorial District, for appointment as Sheriff, in and for the County of Schuylkill, to serve until the first Monday of January, 1986, vice Paul Sheers, resigned.

DICK THORNBURGH.
TREASURER, IN AND FOR THE COUNTY
OF CARBON

March 30, 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 Gilbert J. Gerhard, R. D. 1, Box 213-G, Weatherly 18255, Carbon County, Twenty-ninth Senatorial District, for appointment as Treasurer, in and for the County of Carbon, to serve until the first Monday of January, 1986, vice Dean D. W. DeLong, resigned.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

March 21, 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 Lelia T. Allen, 6842 McPherson Boulevard, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, to fill a new position, pursuant to Act 84, approved December 22, 1983.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

March 21, 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 Gene Lispi (New Car Dealer), 7 Crescent Drive, Riverview Terrace, Plains, Wilkes-Barre 18705, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of his term.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

March 21, 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 G. Matthews (New Car Dealer), 31 Wistar Road, Paoli 19301, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of his term.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

March 21, 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 Glenn E. Mellott (Recreational Dealer), R. D. 2, Willow Street 17584, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of his term, pursuant to Act 84, approved December 22, 1983, to fill a new position.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

March 21, 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 D. Williams (Used Car Dealer), Box 77, R. D. 6, Somerset 15501, Somerset County, Thirty-second Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of his term, pursuant to Act 84, approved December 22, 1983, to fill a new position.

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.

DISTRICT JUSTICE

April 2, 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 Helen V. Hull, 8604 Bricelyn Street, Pittsburgh 15221, Allegheny County, Thirty-eighth Senatorial District, for appointment as District Justice in and for the County of Allegheny, Magisterial District 3-12, to serve until the first Monday of January, 1986, vice Dennis Schatzman, resigned.

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

REPORT OF COMMITTEE OF CONFERENCE
SUBMITTED

Senator TILGHMAN submitted the Report of Committee of Conference on **SB 985**, which was placed on the Calendar.

PERMISSION TO ADDRESS SENATE

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

Senator MELLOW. Mr. President, at the start of Session today I was detained in my office at a meeting that was being held. I would like the record to indicate had I been present on the floor, I would have voted in the affirmative on House Bill No. 1395, Senate Bill No. 948 and Senate Bill No. 1042.

The PRESIDING OFFICER. The remarks of the gentleman will be spread upon the record.

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 Mr. and Mrs. George J. Mitrecic and to Mr. and Mrs. Henry S. Nelson by Senator Bodack.

Congratulations of the Senate were extended to the Reverend Robert Joseph Reardon by Senator Fisher.

Congratulations of the Senate were extended to Kathryn Shultz by Senator Hess.

Congratulations of the Senate were extended to Charles Fuller by Senator Lloyd.

Congratulations of the Senate were extended to Thomas H. Miller, Oscar Rosario and to the Polish American Congress, Inc. by Senator Rocks.

Congratulations of the Senate were extended to Mrs. Grace Newton Weingartner, Mr. and Mrs. Carl Robinson and to Mr. and Mrs. Charles Drushel by Senator Ross.

Congratulations of the Senate were extended to Mr. and Mrs. William Henry Eshbaugh, Mr. and Mrs. Harry Nolf and to Mr. and Mrs. Merle Marshall by Senator Stapleton.

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 1200.

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Monday, May 7, 1984, at 2:00 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 10:37 a.m., Eastern Daylight Saving time.