

Legislative Journal

MONDAY, MAY 21, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 33

SENATE

MONDAY, May 21, 1984.

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

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

PRAYER

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

Lord, bless this Senate as they assemble; give them wisdom, judgment and understanding. May their labors be done in deep humility and humble trust.

We pray in Thy holy name. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 16, 1984.

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

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I request temporary legislative leaves of absence for the following Members of the Committee on Transportation which is in session at the present moment: Senator Kusse, Senator Lynch, Senator Scanlon and Senator Romanelli.

Senator LINCOLN. Mr. President, I request legislative leaves of absence for the entire week for Senator Hankins, Senator Ross and Senator Zemprelli.

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

LEAVES OF ABSENCE

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

Senator LINCOLN asked and obtained leave of absence for Senator LLOYD and Senator STOUT, for a portion of today's Session, for personal reasons.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL WITH OBJECTIONS

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

COMMONWEALTH OF PENNSYLVANIA GOVERNOR'S OFFICE Harrisburg

May 18, 1984

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

I have the honor to inform you that I have this day approved and signed Senate Bill 985, Printer's Number 1961, entitled, 'A supplement to the act of (P.L. , No.), entitled 'An act providing for the capital budget for the fiscal year 1983-1984,' itemizing public improvement projects, furniture and equipment projects, redevelopment assistance projects and transportation assistance projects to be constructed or acquired or assisted by the Department of General Services, the Department of Transportation, the Department of Community Affairs or the Pennsylvania Fish Commission, together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Transportation or the Department of Community Affairs; stating the estimated useful life of the projects; authorizing issuing officials to undertake limited temporary borrowing through negotiated settlements; and making an appropriation,' except as to the following:

Section 12. Appropriation.

(a) The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$632,521,000 to be used by it exclusively to defray the financial cost of the public improvement projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

I approve this item in the amount of \$310,907,000.

(b) The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$15,587,000 to be used by it exclusively to defray the financial cost of the public improvement projects consisting of the acquisition of original movable furniture and equipment specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

I approve this item in the amount of \$10,356,000.

(c) The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Community Affairs in the maximum amount of \$44,165,000 to be used by it exclusively to defray the financial cost of the redevelopment assistance projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Community Affairs the moneys as required and certified by it to be legally due and payable.

I approve this item in the amount of \$43,900,000.

I withhold my approval from the remainder of said appropriations and debt authorizations for the following reasons:

(1) Certain projects cannot be undertaken by the Commonwealth under provisions of the Capital Facilities Debt Enabling Act. These projects do not fall within the definitions of the various categories of capital projects contained therein. Some of these are worthy projects which are being funded through other mechanisms.

(2) Certain projects contained in the bill are maintenance or repair in nature. These projects are to preserve or restore existing assets rather than make an improvement or betterment, and as such cannot be bond funded.

(3) Certain projects contained in the bill have been authorized in previous capital acts so funding is already available for these projects.

(4) Certain projects are not of a sufficiently high priority to warrant the further indebtedness needed for their funding if we are to operate in a fiscally responsible manner. The unrestrained increase in the amount of bond funded authorizations could have a negative impact on the Commonwealth's bond rating thereby causing an increase in interest costs to the Commonwealth or limiting the availability of bond funds for high priority projects.

The projects to be deleted or reduced are as follows:

Section 2. Itemization of public improvement projects.

(3) Department of Education

(i) Bloomsburg University

(A) Rehabilitation and Renovation of Science Hall	2,779,000	1,190,000	3,969,000
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This item is approved in the sum of \$3,335,000.

(ii) California University

(B) Renovation of Old Science Building	2,300,000	350,000	2,650,000
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This item is to be deleted.

(C) Roof replacement	180,000	45,000	225,000
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This item is to be deleted.

(D) Removal of asbestos	154,000	38,000	192,000
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This item is to be deleted.

(iii) Cheyney University

(D) Renovations of walkways, roadways, parking lots and installation of

campus security lighting	350,000	70,000	420,000
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This item is to be deleted.

(iv) Clarion University

(D) Renovation of stadium	250,000	50,000	300,000
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This item is to be deleted.

(E) Venango Campus:

Remodeling and refurbishing of Montgomery Hall	640,000	160,000	800,000
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This item is to be deleted.

(v) East Stroudsburg University

(B) Renovations to Old Dining Hall to Facilitate Hotel and Resort Management Program	1,440,000	288,000	1,728,000
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This item is approved in the sum of \$1,440,000.

(vi) Edinboro University

(B) Maintenance Repair Projects	3,749,000	768,000	4,517,000
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This item is to be deleted.

(C) Roof replacement	644,000	161,000	805,000
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This item is to be deleted.

(D) Replacement of windows, framing and caulking	80,000	20,000	100,000
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This item is to be deleted.

(vii) Indiana University of Pennsylvania

(A) Cogeneration Facility	8,350,000	1,650,000	10,000,000
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This item is to be deleted.

(viii) Kutztown University

(C) Construction of New Residence Hall	3,892,000	779,000	4,671,000
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This item is to be deleted.

(E) Repair to top structure for Old Main, Section F	401,000	100,000	501,000
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This item is to be deleted.

(x) Mansfield University

(C) Roof replacement	84,000	16,000	100,000
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This item is to be deleted.

(E) Replacement of piping for showers for

Cedar Crest Dormitory	83,000	17,000	100,000
This item is to be deleted.			
(xi) Millersville University			
(A) Replacement of Classroom and Office Facilities in Myers Hall	5,500,000	1,100,000	6,600,000
This item is to be deleted.			
(xii) Shippensburg University			
(B) Roof replacement	120,000	30,000	150,000
This item is to be deleted.			
(xiii) Slippery Rock University			
(B) Replacement of utility structures and renovation of interior structures	1,708,000	427,000	2,135,000
This item is to be deleted.			
(xiv) West Chester University			
(A) Replacement Stoker for Central Boiler Plant	141,000	15,000	156,000
This item is to be deleted.			
(B) Renovation of Two Residence Halls: Wayne Hall and Goshen Hall	360,000	40,000	400,000
This item is to be deleted.			
(D) Replacement of elevator equipment in Ramsey Hall	86,000	14,000	100,000
This item is to be deleted.			
(E) Renovation of top structure of Main Hall	154,000	39,000	193,000
This item is to be deleted.			
(xv) Pennsylvania State University			
(A) Renovation of Laboratory Space in Chandlee and Mueller Buildings at University Park Campus	5,000,000	1,000,000	6,000,000
This item is approved in the sum of \$5,000,000.			
(B) Renovation to Mechanical Engineering Building and Electrical Engineering - West Building at University Park Campus	9,480,000	1,896,000	11,376,000

This item is approved in the sum of \$9,480,000.			
(C) Replacement and Upgrading of Scientific and Engineering Educational Equipment in Commonwealth Projects at University Park Campus and Commonwealth Campuses-Phase I	18,334,000	3,666,000	22,000,000
This item is to be deleted.			
(D) Initial Capital Outlay for Computing, Informational and Telecommunications Networks	8,334,000	1,666,000	10,000,000
This item is to be deleted.			
(F) Improvements to buildings, support systems and grounds at University Park including utilities distri- bution overhaul, improve steam lines, manholes, condensate lines, air lines and pumps	983,000	197,000	1,180,000
This item is to be deleted.			
(G) Improvements to waste water treatment plant, Phase III	2,675,000	535,000	3,210,000
This item is approved in the sum of \$2,675,000.			
(H) Additions to Animal Industries Building and renovation of Borland Laboratory	4,750,000	950,000	5,700,000
This item is to be deleted.			
(N) Behrend College, Academic and Library Buildings	7,360,000	1,840,000	9,200,000
This item is to be deleted.			
(P) Capitol Campus, repair and replacement of heating system	325,000	65,000	390,000
This item is to be deleted.			
(Q) Fayette Campus, repair or replace			

Library HVAC System	160,000	32,000	192,000	(II) Construction of Common Facilities Building, Project No. DGS 1103-21	4,141,000	828,000	4,969,000
This item is to be deleted.				This item is to be deleted.			
(R) Hazleton Campus, repair structural problems in Physical Education Buildings	160,000	32,000	192,000	(E) Titusville Campus (I) Land Acquisition for Science Building	500,000	50,000	550,000
This item is to be deleted.				This item is to be deleted.			
(S) McKeesport Campus, replace gym floor	110,000	22,000	132,000	(II) Construction of Science Building	4,300,000	860,000	5,160,000
This item is to be deleted.				This item is to be deleted.			
(T) Ogontz Campus, replace gym floor	187,000	37,000	224,000	(F) Bradford Campus Renovation of Swartz Hall, Project No. DGS 1103-A, Fisher Hall, Project No. DGS 1103-20 and Common Facilities Building, Project No. DGS 1103-30	900,000		900,000
This item is to be deleted.				This item is to be deleted.			
(U) Shenango Valley Campus, construction of multi-purpose instructional building	5,000,000	1,000,000	6,000,000	(xvii) Temple University (A) Replacement and Upgrading of Educational Equipment in Commonwealth Projects	9,795,000	1,959,000	11,754,000
This item is to be deleted.				This item is to be deleted.			
(V) Worthington-Scranton Campus, replace gym floor	120,000	24,000	144,000	(B) Replacement and Upgrading of Equipment in Engineering Facilities	4,556,000	910,000	5,466,000
This item is to be deleted.				This item is to be deleted.			
(vi) University of Pittsburgh (A) Multipurpose Academic and Residence Complex	23,919,000	4,784,000	28,703,000	(C) Computing, Informational and Telecommunications Network	11,000,000	2,200,000	13,200,000
This item is to be deleted.				This item is to be deleted.			
(B) Renewal and replacement of fixed scientific equipment in Commonwealth buildings	7,540,000	1,660,000	9,200,000	(E) Baptist Temple Renovation - Project No. DGS 1104-42 - Additional Funds	2,542,560	508,440	3,051,000
This item is to be deleted.				This item is to be deleted.			
(C) Upgrading and replacement of equipment for School of Engineering	6,600,000	1,320,000	7,920,000	(F) Multipurpose student facility - Ambler Campus	6,300,000	1,260,000	7,560,000
This item is to be deleted.							
(D) Greensburg Campus (I) Construction of library building	3,861,000	1,089,000	4,950,000				
This item is to be deleted.							

This item is to be deleted.			
(G) Armory Renovation - Project			
No. DGS			
1104-41 - Additional Funds			
	2,755,000	551,000	3,306,000
This item is to be deleted.			
(xxiii) Beaver County			
Community College			
(A) Rehabilitation and renovation of student parking lot			
	80,000	20,000	100,000
This item is to be deleted.			
(xxiv) Dropsie College			
(A) Building Repairs			
	100,000		100,000
This item is to be deleted.			
(5) Department of Environmental Resources			
(xx) City of Greensburg and Hempfield Township - Westmoreland County			
(A) Flood protection; tributary Jack's Run; road section 1: Oxford Drive to Crestview Drive			
	298,000		298,000
This item is to be deleted.			
(xxii) Millvale Borough - Allegheny County			
(A) Stream wall replacement on Girty's Run			
	312,000	62,000	374,000
This item is to be deleted.			
(xxiii) Shaler Township - Allegheny County			
(A) Pine Creek flood control project on Glenshaw and Shaler Flats			
	1,250,000	250,000	1,500,000
This item is approved in the sum of \$767,000.			
(xxviii) Borough of Turtle Creek Allegheny County			
(A) Channel Rectification Saw Mill Run (Relocation of Utilities so Project can Proceed as Previously Authorized)			
	180,000	45,000	225,000

This item is to be deleted.			
(xxxix) Raccoon Creek State Park			
(B) Rehabilitation of flood damage to dam, roads, culverts and bridges			
	232,000		232,000
This item is to be deleted.			
(C) Additional funds for Project DGS 146-5; park improvements including dredging operations			
	500,000	100,000	600,000
This item is to be deleted.			
(xlv) Montgomery County			
(A) Upper Dublin Township; construction of a demonstration recycling transfer station			
	1,500,000	300,000	1,800,000
This item is to be deleted.			
(xlv) Allegheny County			
(A) Kilbuck Township; waterline extension			
	80,000	20,000	100,000
This item is to be deleted.			
(xlvi) Clearfield County			
(A) Beccoria Village; water supply improvements			
	150,000	30,000	180,000
This item is to be deleted.			
(B) Brisbin Boro; dam improvements			
	75,000	25,000	100,000
This item is to be deleted.			
(C) Houtzdale Boro; water supply improvements			
	450,000	90,000	540,000
This item is to be deleted.			
(D) Pike Township; water supply improvements			
	200,000	40,000	240,000
This item is to be deleted.			
(E) Development of water supply in Moshannon Valley			
	447,000	53,000	500,000
This item is to be deleted.			
(xlvii) Mine subsidence			
(A) For grants and loans to those persons eli-			

for the Easton Canal Museum	250,000	50,000	300,000	Pennsylvania (T.R.285) across the Pymatuning Reservoir, Shenango Township, Rip-Rap and guide rail installation	140,000		140,000
This item is to be deleted.				This item is to be deleted.			
(9) Department of Military Affairs							
(v) Hollidaysburg Veterans' Home							
(A) Construction of new parking lot at Eisenhower Hall and resurfacing of existing blacktopping	72,000	18,000	90,000	(iii) Rostraver Township Airport, Westmoreland County (A) Waterline extensions and sewer facilities	1,300,000	325,000	1,625,000
This item is to be deleted.				This item is to be deleted.			
(10) Department of Public Welfare							
(viii) Eastern Pennsylvania Psychiatric Institute							
(A) Renovations of Children's Unit	1,280,000	320,000	1,600,000	(B) Improvements to runways and runway lighting	800,000	200,000	1,000,000
This item is to be deleted.				This item is to be deleted.			
(B) Renovations to research space on floors 6, 7 and 8 of Main Tower Building							
	2,320,000	580,000	2,900,000	(iv) Westmoreland County Airport Authority (A) Addition and Expansion of Airport System, including acquisition and improvement	1,500,000	300,000	1,800,000
This item is to be deleted.				This item is to be deleted.			
(C) New Education Facility							
	2,200,000	550,000	2,750,000	Section 3. Itemization of furniture and equipment projects.			
This item is to be deleted.				(1) Department of Education			
(D) Office and Conference Areas							
	280,000	70,000	350,000	(i) Bloomsburg University			
This item is to be deleted.				(A) Human Resources Building Furniture and Equipment			
(E) Expansion of animal facility							
	320,000	80,000	400,000				
This item is to be deleted.				1,391,000			
This item is to be deleted.				This item is approved in the sum of \$882,000.			
(ix) Western Psychiatric Institute and Clinic - Children and Youth Center							
(A) Construction of a 100,000 square foot building on top of the current garage	20,000,000	5,000,000	25,000,000	(ii) Indiana University of Pennsylvania			
This item is to be deleted.				(A) Furniture and Original Equipment for Safety Science Building			
(12) Department of Transportation							
(ii) Crawford County							
(A) Causeway between Andover, Ohio (T.R.85) and Espyville,				(iii) Shippensburg University (A) Renovation of Old Main - DGS 412-36 Original Furnishings and Equipment			
				550,000			
				This item is approved in the sum of \$325,000.			
				(iv) Temple University			
				(A) Dental			
				417,000			
				This item is approved in the sum of \$360,000.			

School Phase
 II - DGS
 1104-32
 Original
 Equipment 4,032,000

This item is approved in the sum of \$3,132,000.

(v) University
 of Pittsburgh
 (A) Bradford
 Campus, Project
 No. DGS 1103-23
 Library and Ad-
 ministration
 Building. In
 addition to
 funds previously
 appropriated 137,000

This item is approved in the sum of \$52,000.

(3) Department of
 Military Affairs
 (i) Hollidaysburg
 Veterans' Home
 (A) Laundry
 facilities;
 original
 equipment 155,000

This item is to be deleted.

(4) Department of
 Public Welfare
 (i) Eastern
 Pennsylvania
 Psychiatric
 Institute
 (A) Original
 furniture and
 equipment for
 the animal
 facility and
 the renovated
 research
 space in the
 Main Tower
 Building 3,300,000

This item is to be deleted.

Section 4. Itemization of redevelopment assistance project.

(2) Easton
 (A) Restoration
 of Municipal Civic
 and Exhibition
 Center 212,000 53,000 265,000

This item is to be deleted.

DICK THORNBURGH,
 Governor

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

**NOMINATIONS BY THE GOVERNOR
 REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD
 OF CHIROPRACTIC EXAMINERS**

May 17, 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 Kathleen Ann Murray, 320 Fairview Road, Pittsburgh 15238, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Chiropractic Examiners, to serve until November 17, 1986, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Catherine P. Blynn, D.Ed., resigned.

DICK THORNBURGH.

JUDGE, MUNICIPAL COURT
 OF PHILADELPHIA

May 17, 1984.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Dempsey, 6103 Glenmore Street, Philadelphia 19142, Philadelphia County, Eighth Senatorial District, for appointment as Judge, Municipal Court in and for the City of Philadelphia, First Judicial District of Pennsylvania, to serve until the first Monday of January, 1986, vice the Honorable James G. Colins, elected to Commonwealth Court.

DICK THORNBURGH.

MEMBER OF THE ARCHITECTS
 LICENSURE BOARD

May 18, 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 Peter F. Arfaa, F.A.I.A., 421 South Forty-seventh Street, Philadelphia 19103, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Raniero Corbelletti, A.I.A., State College, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
 OF EMBREEVILLE STATE HOSPITAL

May 18, 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 Violet D. Armstead, 295 Northview Drive, Coatesville 19320, Chester County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Embreeville State Hospital, to serve until the third Tuesday of January, 1987, and until her successor is appointed and qualified, vice Susan B. Cunningham, resigned.

DICK THORNBURGH.

CORRECTION TO NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The PRESIDENT pro tempore 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 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

May 21, 1984.

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

Please note the nomination dated May 7, 1984 for the reappointment of Janet B. Ross, 145 Booth Lane, Haverford 19041, Montgomery County, Seventeenth Senatorial District, as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January, 1987, and until her successor shall have been appointed and qualified, should be corrected to read:

Janet B. Ross, 1830 Rittenhouse Square, Philadelphia 19041, Philadelphia County, Eighth Senatorial District, as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January, 1987, and until her successor shall have been appointed and qualified.

HOUSE MESSAGES

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 922**.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 897** and **898**, with the information that the House has passed the same without amendments.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 455** and **952**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bills, as amended, will be placed on the Calendar.

HOUSE BILLS FOR CONCURRENCE

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

May 17, 1984

HB 1551 — Committee on Banking and Insurance.

HB 1811, 2110, 2111 and 2113 — Committee on Appropriations.

HB 1838 — Committee on Local Government.

HB 1904 — Committee on Consumer Protection and Professional Licensure.

HB 1921 — Committee on Environmental Resources and Energy.

HB 1954 — Committee on Transportation.

GENERAL COMMUNICATIONS BILLS INTRODUCED AND REFERRED

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

May 17, 1984

Senators PECORA, RHOADES, SHUMAKER and BELL presented to the Chair **SB 1389**, entitled:

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," requiring the payment of interest on deposits made for the payment of real estate taxes.

Which was committed to the Committee on BANKING AND INSURANCE, May 17, 1984.

Senators PECORA, RHOADES, SHUMAKER and BELL presented to the Chair **SB 1390**, entitled:

An Act amending the act of December 14, 1967 (P. L. 746, No. 345), entitled "Savings Association Code of 1967," requiring the payment of interest on deposits made for the payment of real estate taxes.

Which was committed to the Committee on BANKING AND INSURANCE, May 17, 1984.

Senator ZEMPRELLI presented to the Chair **SB 1391**, entitled:

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), entitled, as amended, "Housing Authorities Law," providing certain additional powers to housing authorities to contract for police services.

Which was committed to the Committee on LOCAL GOVERNMENT, May 17, 1984.

Senators HOWARD, HELFRICK, SINGEL, STREET, ZEMPRELLI, REIBMAN, SHAFFER, ANDREZESKI and LLOYD presented to the Chair **SB 1392**, entitled:

An Act providing for the submission to the electors of the Commonwealth of a nonbinding referendum relating to the reduction of the spending of money on nuclear weapons and foreign military intervention.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 17, 1984.

ANNUAL REPORT OF THE ATTORNEY GENERAL

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

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
Harrisburg

May 17, 1984

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

Dear Senator Hager:

In accordance with Section 3(a) of the Act of September 28, 1978, P.L. 788, No. 152, as amended, I am enclosing the Annual Report of the Attorney General to the General Assembly.

Very truly yours,

LEROY S. ZIMMERMAN
Attorney General

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

BILLS SIGNED

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

SB 897, 898 and HB 547.

REPORT FROM COMMITTEE

Senator CORMAN, from the Committee on Local Government, reported the following bill:

HB 1451 (Pr. No. 2292)

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing that a county of the second class may make pickup contributions to the retirement system on behalf of county employees.

SENATE CONCURRENT RESOLUTION

RECESS ADJOURNMENT

Senator STAUFFER offered the following resolution, which was read, considered and adopted:

In the Senate, May 21, 1984.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 4, 1984 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, June 4, 1984 unless sooner recalled by the Speaker.

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

CALENDAR

SPECIAL ORDER OF BUSINESS

SENATE RESOLUTION NO. 118, CALLED UP OUT OF ORDER

Senator STAUFFER, without objection, called up out of order from page 9 of the Calendar, as a Special Order of Business, **Senate Resolution No. 118**, entitled:

Recognizing the year 1984 to be the 250th anniversary of the birth of Major-General Arthur St. Clair of Westmoreland County.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION NO. 118, ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Senate Resolution No. 118.

On the question,

Will the Senate agree to the motion?

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

YEAS—44

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

NAYS—0

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

IN MEMORIAM

COMMISSIONER DANIEL F. DUNN

Senator STAUFFER. Mr. President, I would at this time ask for unanimous consent for the recognition of Senator Fisher for purposes of delivering some special remarks.

The PRESIDENT pro tempore. Senator Stauffer has asked unanimous consent for Senator Fisher to be recognized for the purposes of memorial remarks concerning the recently deceased Commissioner of State Police, Daniel Dunn.

Senator FISHER. Mr. President, there never are adequate words to mark the passing of someone we knew, someone whom we liked and respected. Invariably such passings leave a very real void in our lives, and maybe it is in recognizing that void that we best express the loss that has fallen to all of us.

Daniel Dunn, who served Pennsylvania so ably for the last seven years as its State Police Commissioner, has left such a void. His untimely death, in that paradox that so often attends a death, only served to underscore the fullness of his life. He was a man we all came to know because of his service to the Commonwealth.

Dan Dunn was an outstanding individual. He was a resident of Bethel Park in my Senatorial district. He was a law enforcement official committed to the profession he had chosen to follow with the kind of conviction that became an example to all of us who knew him. Commissioner Dunn was the new breed of crime fighter. A graduate of Harvard Uni-

versity and Boston College Law School, he spent twenty-three years with the FBI. Prior to his acceptance and appointment as State Police Commissioner, Dan Dunn forged an impressive record with the Pittsburgh FBI Field Office as head of the white collar and organized crime squad.

His passing is a loss to all Pennsylvanians and to those who are sworn to uphold the law. I had a great opportunity to get to know Mr. Dunn better, not only through his service with the FBI, but also in working with him as a member of the Pennsylvania Commission on Crime and Delinquency.

Dan Dunn lived his life well and he lived it fully. He took what he had and used it for the benefit of his fellowman and we shall always remember him for that.

Public servant and friend, Dan Dunn will be missed by many.

Senator KELLEY. Mr. President, I had the committee responsibility when Daniel Dunn was designated by Governor Thornburgh to be the Commissioner of State Police. In that capacity I had the opportunity to meet him and to pursue and learn about him through other people. I must say I know of no one who had a more exemplary and higher rating by his colleagues with whom he served. It is fair to say that I also developed an intensification in that relationship with him as Commissioner of State Police and I in the oversight chairmanship committee.

I must say that he was not only a gentleman of high integrity, but he also served in very controversial times without controversy, an unknown precedent for that position in this Commonwealth. Indeed, I join with my colleagues in the mourning of his passing.

Senator STAUFFER. Mr. President, I suggest that we stand in a moment of silent prayer in remembrance of our departed Commissioner of State Police, Mr. Dunn.

(Whereupon, the Senate en banc stood in a moment of silence in solemn respect to the memory of Commissioner of State Police, DANIEL DUNN.)

RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for the purposes of, first, a meeting of the Committee on Rules and Executive Nominations to which I ask the Members of the Committee on Rules and Executive Nominations to report immediately. That is to be followed by a meeting of the Committee on Appropriations in Room 461. Following that, a Republican caucus is to convene at, I would suggest, ten minutes of 3:00 with the expectation we would return to the floor at 4:00 p.m.

The PRESIDENT pro tempore. For the purposes of a meeting of the Committee on Rules and Executive Nominations to take place immediately in the Rules Committee room, a meeting of the Committee on Appropriations to take place in Room 461 immediately thereafter and then for caucuses to take place as soon thereafter as possible, for which the Members will have due and timely notice from the Chair, the Senate is now in recess.

AFTER RECESS

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

REPORTS FROM COMMITTEE

Senator FISHER, by unanimous consent, from the Committee on Environmental Resources and Energy, reported the following bills:

HB 615 (Pr. No. 3007) (Amended)

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), directing the Department of Environmental Resources to devise and implement a State park and forest development plan to employ Pennsylvania citizens; and authorizing the department to franchise hydroelectric generation activity.

HB 1858 (Pr. No. 3008) (Amended)

An Act amending the act of August 23, 1961 (P. L. 1068, No. 484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," providing for applications for additional insurance; and providing for automatic increases for inflation.

LEGISLATIVE LEAVE CANCELLED

Senator JUBELIRER. Mr. President, I would like the record to note that Senator Kusse is back and will be voting in person. I ask that his temporary legislative leave of absence be cancelled.

The PRESIDENT pro tempore. The record will indicate Senator Kusse is present on the floor and will be voting.

LEGISLATIVE LEAVES

Senator JUBELIRER. Mr. President, I ask for temporary Capitol leaves of absence for the remainder of today's Session for Senator Helfrick and Senator Loeper.

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

LEAVE CANCELLED

Senator JUBELIRER. Mr. President, I further ask that the Chair note my presence on the floor and that my temporary personal leave of absence, joyful as it was, be cancelled.

The PRESIDENT pro tempore. The Senator's presence is noted.

LEAVE OF ABSENCE

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

CONSIDERATION OF CALENDAR RESUMED**BILL WHICH HOUSE HAS INSISTED ON ITS
NONCONCURRENCE IN SENATE AMENDMENTS**

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO HB 1004

Senator JUBELIRER. Mr. President, I move that the Senate do insist upon its amendments nonconcurrent in by the House to House Bill No. 1004, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**BILL WHICH HOUSE HAS NONCONCURRED
IN SENATE AMENDMENTS**

BILL OVER IN ORDER

HB 224 — 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 165 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 173 (Pr. No. 1966) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 29, 1937 (P. L. 487, No. 115), entitled, as reenacted and amended, "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," prohibiting rejection of voter registration applications because the color of the applicant is not indicated thereon.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 173.

On the question,

Will the Senate agree to the motion?

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Good afternoon, Senator Scanlon. The Chair notes your presence for the record.

The Chair also sees and notes with pleasure the presence of Senator Lynch. His temporary legislative leave of absence is cancelled. The Chair notes Senator Romanelli is here. Welcome back, Senator.

LEGISLATIVE LEAVE

Senator SCANLON. Mr. President, I would like to request a temporary Capitol leave of absence for Senator Mellow who is meeting with constituents in his office.

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

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—45

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

NAYS—1

Williams

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.

LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes for the record the presence of Senator Lloyd who is back on the floor and his temporary personal leave of absence is now cancelled.

CONSIDERATION OF CALENDAR RESUMED**BILLS ON CONCURRENCE IN
HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 672 (Pr. No. 1943) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity of school officers or employees relating to drug or alcohol abuse; and providing for limitation of time for bringing an action where infancy, insanity or imprisonment is involved.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 672.

On the question,

Will the Senate agree to the motion?

Senator O'PAKE. Mr. President, I rise to urge a vote for concurrence in the House amendments to Senate Bill No. 672. I am pleased that this legislation, which I first introduced as Senate Bill No. 1584 back in 1982, is finally ready for final passage. I want to thank the gentleman from Schuylkill, Senator Rhoades, for taking the lead on this issue in this Session after an attempt ran out of time in the last Session.

The need for this legislation, Mr. President, first came to light about three years ago when we enacted the 1981 look-

alike drug law. Teachers, educators and school principals who strongly supported that effort to crack down on look-alikes were also very concerned about the reluctance of some of their colleagues to get involved in the war against drugs in our schools. The problem is that Pennsylvania law does not protect teachers, principals and others against retaliatory lawsuits by a few students and parents who are more concerned with a family's reputation than with sincere efforts to combat teen-age drug abuse. Senate Bill No. 672 provides that protection by granting civil immunity for good faith reporting of drug abuse by students to the appropriate law enforcement authorities. Teachers and other school professionals should no longer be reluctant to take an active role in reporting student drug abuse out of fear of the potential of courthouse revenge by the involved students and their parents.

In recent years we have seen a number of significant trends at work. One very encouraging trend is the combined efforts of various government and private agencies to teach children the dangers of drugs while, at the same time, helping them to develop a more positive self-image which is so important in resisting the temptation to abuse drugs and alcohol. The nationwide program, The Chemical People, is just one example of a new awareness about this critical problem. One very disturbing trend, however, is the number of school age children admitted to drug treatment facilities in Pennsylvania—more than 5,000 a year in this state—and the fact that most of the admissions occur during the school months. Teachers, counselors and school administrators must be encouraged to report suspected cases of drug abuse early on and before such medical or psychological treatment becomes necessary.

Mr. President, Senate Bill No. 672 does encourage that good faith involvement and does encourage teachers to get more active in the war on drugs in our schools. I urge all my colleagues to concur in the House amendments which are also designed to benefit children, by adding Pennsylvania to the forty-six other states which preserve a minor's right to bring a court action for damages until he or she becomes an adult. This protection of the minor's legal rights is especially important in child sexual abuse cases such as we have seen in California recently where a single abuse incident suddenly revealed that the abuser had a long history of sexual molestation of children. Without a provision like that in Senate Bill No. 672, as amended, many child victims would lose their rights to recover damages for psychological, emotional and other harm because the statute of limitations had wiped out their claims while they were still too young to protect themselves.

Again, I urge all my colleagues to concur in the House amendments so we can send this very important message on to the Governor.

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

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

YEAS—46

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

NAYS—0

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

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

BILL LAID ON THE TABLE

SB 705 (Pr. No. 1969) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," expanding the general powers to include steam and electric power facilities; and existing municipality-owned gas plants and systems.

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 994 (Pr. No. 1909) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, changing provisions relating to the revocation of boat registrations; further providing for the operation of watercraft while under the influence of alcohol or a controlled substance; providing for testing apparatus, procedures and personnel; and providing for the crime of homicide by watercraft.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 994.

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—46

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

NAYS—0

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

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

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER ON FINAL PASSAGE

SB 987 (Pr. No. 2004) — The Senate proceeded to consideration of the bill, entitled:

An Act combining the radiation safety provisions of the Atomic Energy Development and Radiation Control Act and the Environmental Radiation Protection Act; empowering the Department of Environmental Resources to implement a comprehensive Statewide radiation protection program; further providing for the power of the Environmental Quality Board and for the duties of the Environmental Hearing Board; expanding the authority of the department to regulate other radiation sources and radiologic procedures; establishing fees; 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?

Senator REIBMAN. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bell.

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

Senator BELL. I will, Mr. President. I hope I can answer the questions. I think the committee had this bill about six months ago.

Senator REIBMAN. Mr. President, I am not opposed to the bill, but I feel it needs some clarification with respect to how the section, particularly on page 11 on standards, would impact upon radiologists, the medical profession, or radiology labs where x-rays are done. Is there any kind of a conflict between regulations that would be issued by DER with respect to those license requirements from the medical community?

Senator BELL. Mr. President, about six or eight months ago this question came up and the bill was extensively amended by our people. I wish I could answer the question, but I would like to have the chance to reread the bill before I can answer it. I will take whatever the lady from Northampton, Senator Reibman, says is in the bill as actual. I am sorry, I wish I had known the question was coming.

Senator REIBMAN. Mr. President, I am wondering if the gentleman from Delaware, Senator Bell, would object to the bill going over until tomorrow so we can get a little more information on it?

Senator BELL. Mr. President, I have no objection to it going over. I would be glad to talk to the lady from Northampton, Senator Reibman. I understand the gentleman from Allegheny, Senator Bodack, may have amendments. The first I knew about that was just now.

The PRESIDENT pro tempore. Without objection, Senate Bill No. 987 will go over in order on final passage.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1190 (Pr. No. 1936) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals and disposition of certain fines.

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—44

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

NAYS—2

O'Connell	Rhoades
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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 1284 (Pr. No. 2005) — The Senate proceeded to consideration of the bill, entitled:

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

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—46

Andrezeski	Hopper	Moore	Shaffer
Bell	Howard	Musto	Shumaker
Bodack	Jubelirer	O'Connell	Singel
Brightbill	Kelley	O'Pake	Snyder
Corman	Kratzer	Pecora	Stapleton
Early	Kusse	Reibman	Stauffer
Fisher	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger

Hager	Lloyd	Romanelli	Williams
Hankins	Loeper	Ross	Wilt
Helfrick	Lynch	Scanlon	Zemprelli
Holl	Mellow		

NAYS—0

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

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

BILL OVER IN ORDER

SB 1330 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

SB 1357 (Pr. No. 1924) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), entitled, as amended, "Housing Finance Agency Law," allowing the agency to make loans independently of participation in a Federal Housing Assistance Program; and saving an act from expiration.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 2, line 2, by inserting after "Program;": making an appropriation;

Amend Title, page 2, line 3, by inserting after "expiration": further providing guidelines and criteria to be used for homeowner's emergency assistance; and making editorial changes

Amend Bill, page 2, by inserting between lines 25 and 26:

Section 2. Sections 401-C(a) and (b), 402-C(a), 403-C and 404-C(a) of the act, added December 23, 1983 (P.L.385, No.91), are amended to read:

Section 401-C. General Authority.—(a) The Pennsylvania Housing Finance Agency, hereinafter referred to as the "agency," may make loans secured by liens on residential real property located in Pennsylvania to residents of Pennsylvania eligible for such loans as described in this article. For the purpose of this article, the term "mortgage" shall include any obligation evidenced by a security document and secured by a lien upon real property located within this Commonwealth including, but not limited to, a deed of trust and land sale agreement. The term shall also include an obligation evidenced by a security lien on real property upon which an owner-occupied mobile home is located. The provisions of this article shall not be applicable if:

(1) The property securing the mortgage is not the principal residence of the mortgagor.

(2) The property securing the mortgage is not a one or two-family owner-occupied residence.

(3) The mortgage is insured by the Federal Housing Administration under Title II of the National Housing Act (12 U.S.C. §§ 1707-1715z-18).

(b) The agency shall carry out the program established by this article. Within sixty days of the effective date of this article, the agency shall adopt initial program guidelines for the implementation of this article and may revise the guidelines whenever appropriate. The agency shall report annually to the General Assembly on the effectiveness of the Homeowner's Emergency Mortgage Assistance Program in accomplishing the purposes of this article.

Section 402-C. Notice and Institution of Foreclosure Proceedings.—(a) Before any mortgagee may accelerate the maturity of any mortgage obligation covered under this article, commence any legal action including mortgage foreclosure to recover under such obligation, or take possession of any security of the mortgage debtor for such mortgage obligation, such mortgagee shall give the mortgagor notice as described in section 403-C. Such notice shall be given in a form and manner prescribed by the agency. Further, no mortgagee may enter judgment by confession pursuant to a note accompanying a mortgage, and may not proceed to enforce such obligation pursuant to applicable rules of civil procedure without giving the notice provided for in this subsection and following the procedures provided for under this article.

Section 403-C. Notice Requirements.—(a) Any mortgagee who desires to foreclose upon a mortgage shall send to such mortgagor at his or her last known address the notice provided in subsection (b); however, That such mortgagor shall be at least sixty (60) days contractually delinquent in his mortgage payments or be in violation of any other provision of such mortgage.

(b) The agency shall prepare a uniform notice for purposes of this section as follows: The notice shall list consumer credit counseling agencies and shall advise the mortgagor of his delinquency or other default under the mortgage and that such mortgagor has thirty (30) days to have a face-to-face meeting with the mortgagee who sent the notice or a consumer credit counseling agency to attempt to resolve the delinquency or default by restructuring the loan payment schedule or otherwise. The notice shall be promulgated as part of the program guidelines required by section 401-C(b). If the mortgagor meets with a consumer credit counseling agency, the consumer credit counseling agency shall promptly notify all of the mortgagees secured by the mortgagor's real property, and no mortgagee so notified shall commence any legal action against the mortgagor's real property for a period not to exceed thirty (30) calendar days from the date that the [mortgagee] mortgagor first meets with the consumer credit counseling agency. The notice shall include a statement that, if the mortgagor is unable to resolve the delinquency or default within thirty (30) calendar days of the mortgagor's first [contract] contact with either the mortgagee or a consumer credit counseling agency, the mortgagor may apply to the agency or its duly authorized agent at the address and phone number listed in the notice in order to obtain an application and information regarding the Homeowner's Emergency Mortgage Assistance Program. If the mortgagor applies for mortgage assistance payments, the agency shall promptly notify all of the mortgagees secured by the mortgagor's real property. The agency shall make a determination of eligibility within sixty (60) calendar days of receipt of the mortgagor's application. During the time that the application is pending, no mortgagee may commence legal action to foreclose upon its mortgage with the mortgagor.

(c) If the mortgagor fails to meet with the mortgagee or consumer credit counseling agency or meet any of the time limitations specified in the notice or if the mortgagor's application for mortgage assistance payments is denied, the mortgagee may, at any time thereafter, take any legal action to enforce the mortgage without any further restriction or requirements under this article. Financial institutions shall not be the duly authorized agents of the agency [and shall not make the] for the purpose of making any decision on the approval of assistance under this act.

(d) If, after a face-to-face meeting, the mortgagor and the mortgagee reach an agreement to resolve the delinquency or default as provided for in section 403-C(b) and if, because of circumstances beyond the mortgagor's control, the mortgagor is unable to fulfill the obligations of that agreement, the mortgagor may apply to the agency or its duly authorized agent for assis-

tance under this article within thirty (30) days of any default in payment under the agreement previously reached. The mortgagee shall not be required to send any additional notice pursuant to this article.

(e) All parties requiring notice pursuant to this article shall be deemed to receive notice on the third business day following the date of the mailing of the notice as documented by a certificate of mailing obtained from the United States Postal Service.

Section 404-C. Eligibility for Assistance.—(a) No assistance may be made with respect to a mortgage under this article unless all of the following are established:

(1) The property securing the mortgage, or other security interest in the case of units in cooperative or condominium projects, is a one-family residence, or two-family owner-occupied residence including one-family units in a condominium project or a membership interest and occupancy agreement in a cooperative housing project, is the principal residence of the mortgagor and is located in this Commonwealth.

(2) (i) Any mortgagee has indicated to the mortgagor its intention to foreclose; [or] and

(ii) payments under any mortgage have been contractually delinquent for at least sixty (60) days.

(3) The mortgage is not insured by the Federal Housing Administration under Title II of the National Housing Act (12 U.S.C. §§ 1707-1715z-18).

(4) The mortgagor is a permanent resident of this Commonwealth and is suffering financial hardship due to circumstances beyond the mortgagor's control which render the mortgagor unable to correct the delinquency or delinquencies within a reasonable time and make full mortgage payments.

(5) The agency has determined that there is a reasonable prospect that the mortgagor will be able to resume full mortgage payments within thirty-six (36) months after the beginning of the period for which assistance payments are provided under this article and pay the mortgage or mortgages in full by its maturity date or by a later date agreed to by the mortgagee or mortgagees for completing mortgage payments.

(6) The mortgagor has applied to the agency for assistance on an application form prescribed by the agency for this use which includes a financial statement disclosing all assets and liabilities of the mortgagor, whether singly or jointly held, and all household income regardless of source. Any applicant who intentionally misrepresents any financial information in conjunction with the filing of an application for assistance under this article may be denied assistance or required to immediately repay any amount of assistance made as a result of such misrepresentation, and the mortgagee may, at any time thereafter, take any legal action to enforce the mortgage without any further restrictions or requirements under this article.

(7) The mortgagee is not prevented by law from foreclosing upon the mortgage.

(8) The agency has determined, based on the mortgagor's financial statement, that the mortgagor has insufficient household income or net worth to correct the delinquency or delinquencies within a reasonable period of time and make full mortgage payments.

(9) Except for the current delinquency, the mortgagor shall have had a favorable residential mortgage credit history for the previous five (5) years. This requirement shall mean that, if the mortgagor has been more than three (3) consecutive months in arrears on a residential mortgage within the previous five (5) years, he shall be ineligible for assistance, unless the mortgagor can demonstrate that the prior delinquency was the result of financial hardship due to circumstances beyond his control.

(10) For purposes of this section, in order to determine whether the financial hardship is due to circumstances beyond the mortgagor's control, the agency may consider information regarding the mortgagor's employment record, credit history and current income.

(11) The mortgagor meets any other procedural requirements established by the agency.

Section 3. Section 410-C(d) of the act, added December 23, 1983 (P.L.385, No.91), is amended and a subsection is added to read:

Section 410-C. Funding.—***

(d) The Department of Revenue shall grant a tax credit against any tax due under Articles IV, V, VII, VIII, XV and XVI of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," or against any tax due from an insurance company other than a foreign fire casualty insurance company. A tax credit of up to seventy (70) percent may be allowed. Contributions to the fund and any tax credit pursuant thereto not used in the period in which the contribution was made may be carried over for the next succeeding calendar or fiscal year until the full contribution has been used or the full credit has been allowed; provided that the total amount of all tax credits allowed pursuant to this section shall not exceed the limitations provided for in subsection (c). The [agency] Department of Revenue may provide for proportional credit in the event that total credits sought exceed fifteen million dollars in each of the fiscal years. [Notwithstanding the provisions of the act of November 29, 1967 (P.L.636, No.292), known as the "Neighborhood Assistance Act," the total amount of tax credits granted under that act shall not exceed three million seven hundred fifty thousand dollars for the fiscal year 1983-1984 and one million seven hundred fifty thousand dollars in each of the fiscal years 1984-1985, 1985-1986 and 1986-1987.] The Department of Revenue may, jointly with the Housing Finance Agency, adopt rules and regulations, policy statements, guidelines and procedures to implement the tax credit program.

(f) The sum of twenty-five million seven hundred fifty thousand dollars, or as much thereof as may be necessary, is hereby appropriated from the General Fund to the fund created by Section 408-C of this article for the fiscal year beginning July 1, 1984 and ending June 30, 1985 to carry out the purposes of this act.

Amend Sec. 2, page 2, line 26, by striking out "2" and inserting: 4

Amend Sec. 3, page 4, line 2, by striking out "3" and inserting: 5

On the question,

Will the Senate agree to the amendment?

Senator STAUFFER. Mr. President, at the outset I would like to make note of the cooperation and assistance that the gentleman from Cambria, Senator Singel, has rendered in this situation and express my appreciation to him for his cooperation.

Mr. President, the amendment before us actually has three divisions, one of which takes care of some amendments to Act 91 which everyone had generally recognized needed to be done to make it a more workable piece of legislation. The second part is to restore the Neighborhood Assistance Act's tax credits to the level where they were before the enactment of House Bill No. 500 earlier in the Session. The third part is to add a provision which will appropriate \$25 million to fund the mortgage assistance program.

Mr. President, someone earlier today said to me, "Is this an acknowledgment that the act as passed previously was not well done and that it was somewhat of a failure and now you are making a correction?" I did want to take a moment to

point out that I do not think that is a fair characterization. I think what we all have to recognize is that when House Bill No. 500 first appeared before us, it did not have a funding mechanism. It was very likely that without some unique means of funding that bill, we would not have been able to pass a mortgage assistance program. We finally did decide on the tax credits under the Neighborhood Assistance Act as a means of getting initial funding, and I think it was through that mechanism we were able to get this act off the ground and get the program started.

Now that we have had the program started and it is under way, we are in a position to recognize the need for a better means of funding, a more adequate means of funding. I think the move we make here today to provide a flat, full \$25 million General Fund appropriation shows that this Legislature has committed itself to the program and is carrying through on that commitment.

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

Senator BRIGHTBILL, by unanimous consent, offered the following amendment to the amendment:

Amend Amendments, page 1, by inserting between lines 28 and 29:

(4) The mortgage on the property was given by a noncorporate seller, unless the noncorporate seller elects, in writing, in the mortgage or elsewhere to be covered by this article. For purposes of this article "noncorporate seller" means any person giving a mortgage who is not a bank, a savings and loan association, a mortgage bank, a consumer discount company or other entity in the mortgage lending business.

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

Senator BRIGHTBILL. Mr. President, this amendment is intended to apply to the very limited situation in which a private mortgage is given by a noncorporate seller. The typical example would be where a home is sold by someone who, for whatever reason, leaves the money in the home to their buyer. The situation would permit the noncorporate seller to elect in writing, either in the mortgage or elsewhere, to be covered by this article. It would apply to noncorporate sellers, meaning, for example, it would exclude noncorporate sellers and a noncorporate seller would be any entity in the mortgage lending business so that an entity that is not in the mortgage lending business would be excluded from Senate Bill No. 1357.

Senator SINGEL. Mr. President, I rise in support of the amendment to the amendment, recognizing that in today's economy it may be there are people who have lent money and who may be in as serious financial condition as the person holding the mortgage. I think this is a prudent and a logical correction that was overlooked in the initial drafting of the legislation. I would ask my colleagues to support the amendment.

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

It was agreed to.

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

It was agreed to.

The PRESIDENT pro tempore. Senate Bill No. 1357 will go over in its order, as amended.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1273 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 117 (Pr. No. 122) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing for the salary of the chief deputy while acting as principal.

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

BILL OVER IN ORDER

HB 131 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

HB 159 (Pr. No. 2545) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Township of Independence, Washington County, to convey a certain tract of land acquired pursuant to the Project 70 Land Acquisition and Borrowing Act.

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

BILLS OVER IN ORDER

SB 478, 480, 481, 482, 483 and 484 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 489 (Pr. No. 536) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," providing for adoption of property maintenance regulations; and eliminating provision for milk inspection.

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

BILLS OVER IN ORDER

SB 514, 566, 570, 629 and 630 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 784 (Pr. No. 1996) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 22, 1974 (P. L. 589, No. 205), entitled "Unfair Insurance Practices Act," providing for disclosure of benefit limits when advertising guaranteed permanent life insurance to persons 50 years of age or older.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 865, SB 901 and 1065 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

HB 1157 (Pr. No. 2982) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "State Capitol Preservation Act," approved December 20, 1982 (P. L. 1442, No. 327), providing for State appropriations and operating expenses of the committee.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1179, HB 1185, SB 1245, 1304, 1305, 1313, HB 1359, SB 1364, 1385, HB 1398 and 1436 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL REREFERRED

HB 1711 (Pr. No. 2983) — The Senate proceeded to consideration of the bill, entitled:

An Act designating the entire portion of Interstate Route 81 in Pennsylvania as the American Legion Memorial Highway; designating the entire portion of Keystone Highway Interstate Route 80 in Pennsylvania as the Veterans of Foreign Wars of the United States Memorial Highway; requiring the Department of Transportation to erect signs designating Indiantown Gap National Cemetery; and making an appropriation.

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

BILL OVER IN ORDER

HB 1939 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

HB 2039 (Pr. No. 2768) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), providing for title to lands sold at tax sales to be subject to liens of record.

Considered the second time and agreed to,

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

UNFINISHED BUSINESS
REPORTS FROM COMMITTEES

Senator GREENLEAF, from the Committee on Law and Justice, reported the following bill:

HB 133 (Pr. No. 3013) (Amended)

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), abolishing the Pennsylvania Liquor Control Board; providing for the powers and duties of the Pennsylvania Liquor Board, the Department of Revenue and the Office of Attorney General; creating the Office of Administrative Law Judge and defining its powers and duties; further providing for penalties; transferring personnel, equipment and appropriations; and making editorial changes.

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

SB 1293 (Pr. No. 1800)

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

SB 1326 (Pr. No. 2014) (Amended)

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, reconstruction, improvement, operation and maintenance of toll roads and the conversion of existing toll-free roads to toll roads in Pennsylvania; conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing issuance of turnpike revenue bonds, notes or other obligations of the commission, payable solely from revenues of the commission, including tolls, or from such other funds as may be available to the commission for that purpose, to pay the costs of such toll roads; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the toll roads; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the commission to be brought in the courts in which such actions may be brought against the Commonwealth; prescribing conditions on which toll roads shall be turned over to the Department of Transportation; providing for grade separations, grade changes, relocations, restorations and vacations of public roads and State highways affected by the toll roads; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipalities and agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Transportation; authorizing the Secretary of Transportation to enter into negotiations with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency regarding the conversion of toll-free highways constructed in the Commonwealth using Federal funds to toll roads; and authorizing the Secretary of Transportation to enter into agreements on behalf of the Commonwealth and the commission with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency

with respect to obtaining Federal funds for resurfacing, restoring, rehabilitating or reconstructing toll roads in Pennsylvania.

SB 1342 (Pr. No. 2015) (Amended)

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

SB 1371 (Pr. No. 1955)

An Act designating the Mansfield Bypass on relocated Traffic Route 15 in Tioga County as the Harold G. Strait Memorial Highway.

SB 1387 (Pr. No. 1991)

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," abolishing the State Transportation Commission and the State Transportation Advisory Committee; and providing for the establishment and powers and duties of a State Transportation Board.

HB 1244 (Pr. No. 3012) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation of emergency vehicles; prohibiting certain sun screening devices on windshields and windows of motor vehicles; and providing exceptions.

HB 1954 (Pr. No. 2606)

An Act designating a certain bridge crossing the Allegheny River from Westmoreland County to Allegheny County as the C. L. Schmitt Bridge.

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

SB 1041 (Pr. No. 2013) (Amended) (Rereported)

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

SB 1175 (Pr. No. 1735) (Rereported)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," establishing a State Honors Program for qualified senior students.

**COMMUNICATIONS FROM THE GOVERNOR
TAKEN FROM THE TABLE**

Senator JUBELIRER called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

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

May 15, 1984.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 18, 1984 for the appointment of Audrey S. Pittman, 1227 South 61st Street, Philadelphia 19139, Philadelphia County, Eighth Senatorial District, as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third

Tuesday of January, 1989, and until her successor is appointed and qualified, to fill a new position, pursuant to Act 188, approved November 12, 1982.

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

DICK THORNBURGH.

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

May 14, 1984.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 13, 1984 for the appointment of William F. Reardon, 747 Tyson Avenue, Abington 19001, Montgomery County, Twelfth Senatorial District, as a member of the Board of Trustees of Eastern State School and Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Jane Eves, Doylestown, whose term expired.

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

DICK THORNBURGH.

NOMINATIONS RETURNED TO THE GOVERNOR

Senator JUBELIRER. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

On the question,

Will the Senate agree to the motion?

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

YEAS—46

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

NAYS—0

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

The PRESIDENT pro tempore. The nominations will be returned to the Governor.

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

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

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

May 14, 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 Ralph H. Holland, 1053 North Main Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve until the third Tuesday of January, 1987, and until his successor shall have been appointed and qualified, vice Antonie T. Klar, Camp Hill, whose term expired.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA
FISH COMMISSION

May 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 Calvin J. Kern (District Eight), 4254 Main Street, Whitehall 18052, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1992, and until his successor is appointed and qualified.

DICK THORNBURGH.

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

May 14, 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 Katherine M. Fox, C34 Bard Hall, Slippery Rock University, Slippery Rock 16057, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for three years or for so long as she is a full-time undergraduate student in attendance at the university, whichever period is shorter, vice Nancy L. Mickle, Greenville, graduated.

DICK THORNBURGH.

MEMBER OF THE ALLEGHENY COUNTY
BOARD OF ASSISTANCE

May 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 Dolores Ferguson (Republican), 114 Orin Street, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the Allegheny County Board of Assistance, to serve until December 31, 1985, and until her successor is duly appointed and qualified, vice Paul L. Pyeritz, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE ALLEGHENY COUNTY
BOARD OF ASSISTANCE

May 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 Norman C. Restaine (Democrat), 11521 Gardenia Drive, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the Allegheny County Board of Assistance, to serve until December 31, 1984, and until his successor is duly appointed and qualified, vice Richard G. Lewis, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

May 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 Harris A. Lemon (Republican), R. D. 3, Mifflinburg 17844, Union County, Twenty-seventh Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1985, and until his successor is duly appointed and qualified, vice Ethel L. Derr, Laurelton, resigned.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

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

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

SENATE RESOLUTION

DISCHARGING COMMITTEE ON
APPROPRIATIONS FROM FURTHER
CONSIDERATION OF SB 542

Senator ANDREZESKI offered the following resolution which was read as follows:

In the Senate, May 21, 1984.

Discharging Committee on Appropriations from further consideration of Senate Bill No. 542, Printer's No. 1130.

RESOLVED, That Senate Bill No. 542, Printer's No. 1130, entitled "An act amending the act of June 3, 1937 (P.L.1225, No.316), entitled 'An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto,' changing certain requirements

for free hunting licenses for disabled veterans," having been referred to the Committee on Appropriations on July 18, 1983, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Robert J. Hickey by Senator Andrezeski.

Congratulations of the Senate were extended to Mr. and Mrs. Francesco Furtivo, Mr. and Mrs. Max Rubin and to the Lehigh Valley Old Timers Soccer Association by Senator Bodack.

Congratulations of the Senate were extended to Rohm and Haas Company by Senator Fumo.

Congratulations of the Senate were extended to the Scouts Centennial Ontario Pennsylvania Expedition and to the students of Wissahickon Middle School by Senator Greenleaf.

Congratulations of the Senate were extended to Timothy L. Hanselman by Senator Helfrick.

Congratulations of the Senate were extended to Ms. Alice M. Coover by Senator Hopper.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Folcarelli, Mr. and Mrs. John R. Muir and to Bernice Ruttenberg Levinson by Senator Jubelirer.

Congratulations of the Senate were extended to Andy Pahach by Senator Kelley.

Congratulations of the Senate were extended to Mr. and Mrs. John Lent and to Pauline E. Gundrum by Senator Lincoln.

Congratulations of the Senate were extended to Mr. and Mrs. William Clements by Senator Lloyd.

Congratulations of the Senate were extended to John C. Cresci, Kathleen Marie Adams, Christine Hammond, Jennifer Kerrigan, Michael John Panunto, Sean Quinn and to Captain James J. Shanahan by Senator Lynch.

Congratulations of the Senate were extended to Butler Township by Senator Musto.

Congratulations of the Senate were extended to Mr. and Mrs. Brady DeWald, Margaret Bayly, Mark Burke, Mrs. Mayme Gaughan and to Edward Gayeski by Senator O'Connell.

Congratulations of the Senate were extended to Thomas Patrick and Jean Ann Glaser Sullivan by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Morrow by Senator Pecora.

Congratulations of the Senate were extended to Mr. and Mrs. Ray E. Gilbert by Senator Reibman.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Dean by Senator Ross.

Congratulations of the Senate were extended to Mr. and Mrs. John D. McCue, Mr. and Mrs. Vern W. Stewart and to Mr. and Mrs. Paul R. Zarnick by Senator Shaffer.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Benschhoff and to Leitzinger Brothers Department Store by Senator Singel.

Congratulations of the Senate were extended to Adeline Deichler Barr by Senator Snyder.

Congratulations of the Senate were extended to Perry Shaffer by Senator Stapleton.

Congratulations of the Senate were extended to The Daily News of McKeesport by Senator Zemprelli.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Dorothy M. Young by Senator Shaffer.

BILLS ON FIRST CONSIDERATION

Senator ANDREZESKI. 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 1293, 1326, 1342, 1371, 1387, HB 133, 615, 1244, 1451, 1858 and 1954.

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

PETITIONS AND REMONSTRANCES

Senator SINGEL. Mr. President, I guess it is the nature of this Body that sometimes very important things happen on the floor with very little fanfare. That happened today when the amendments of the gentleman from Chester, Senator Stauffer, to Senate Bill No. 1357, were adopted.

I have spoken on this floor numerous times concerning the need for funding of the Mortgage Foreclosure Assistance program and for raising the cap in the neighborhood assistance tax credits. We accomplished that today. I wanted to add my comments to those made earlier in the day by Senator Stauffer and point out that it has been a negotiations process and it has been a give and take on both sides of the aisle. I am confident we can move this legislation rapidly and get it to the House of Representatives, get their concurrence, and hopefully have the Governor sign this bill into law before the deadline that is required under Senate Bill No. 1357 of May 31st.

Since the emergency foreclosure assistance program was adopted in December, the Pennsylvania Housing Finance Agency has been able to develop a track record of sorts. They

have been able to discover, for example, that the average applicant is seven months unemployed and that the average amount owed to the bank or lending institution on a delinquent mortgage is about \$3,089. These are the people we sought to protect by establishing the mortgage assistance program in the first place and now by fully funding it.

There are 24,000 homeowners who are at least sixty days delinquent. The PHFA estimates that between 6,000 and 9,000 of them may be eligible in the coming months. During the last few weeks there was some confusion about the need for the funding at this moment. The truth of the matter is that PHFA may have been able to limp through this fiscal year with the initial \$5 million appropriation that we gave them, but the truth is that within the next two months there will be an onslaught of applications coming from those who have applied when the thirty-day counseling period and the sixty-day waiting period are exhausted. This means there will be an immediate press for funds needed by the Pennsylvania Housing Finance Agency and there will be a need for approximately \$25 million for the coming fiscal year. By front loading this program, as we are attempting to do, we give the assurance to the PHFA that the program will be viable, and we give the assurance to thousands of homeowners throughout the Commonwealth that just because they are unemployed does not necessarily mean they need be homeless. I think this is a very important first step. I commend the author of the amendments and I would also like to thank the gentleman from Philadelphia, Senator Rocks, and others on the Democratic side of the aisle who have joined in the effort to bring this issue to bear. We solved three major problems today and if this legislation passes tomorrow, we will be well on our way to providing meaningful homeowners assistance in the coming fiscal year. I thank you, Mr. President, and I thank my colleagues throughout the Senate for their help in this regard.

LEAVE CANCELLED

Senator STOUT. Mr. President, earlier in today's Session I had received a personal leave of absence, and due to delays of the airlines I have now made it about four hours late. I want the record to show I am present on the floor.

The PRESIDENT pro tempore. The Chair is happy to welcome you back to the Senate of Pennsylvania, Senator.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 1887, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1887**, and has appointed Messrs. LETTERMAN, SALOOM and WILLIAM W. FOSTER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to

consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HB 1004

The PRESIDENT pro tempore. The Chair announces the appointment of Senators HOWARD, STREET and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1004.

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

BILL SIGNED

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

HB 922.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MAY 22, 1984

10:00 A.M.	COMMUNITY AND ECONOMIC DEVELOPMENT (to consider Senate Bills No. 871, 1170, 1244; Senate Resolutions No. 28, 117 and any other business that may come before the Committee)	Room 460, 4th Floor Conference Rm., North Wing
10:00 A.M. to 12:00 Noon	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 1264 - An act providing for the regulation and licensing of radiologic technologists; and establishing a Radiologic Technology Board of Examiners)	Room 461, 4th Floor Conference Rm., North Wing
11:00 A.M.	FINANCE (to consider the nomination of Stanley A. Miller to the Board of Claims)	Room 460, 4th Floor Conference Rm., North Wing

WEDNESDAY, MAY 23, 1984

9:30 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider Sunset Review, Public Hearing for Pa. Farm Show Commission)	Room 459, 4th Floor Conference Rm., North Wing
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10:30 A.M. AGRICULTURE AND RURAL Room 459,
 AFFAIRS (to consider 4th Floor
 Sunset Review, Public Conference Rm.,
 Hearing on Pa. Milk North Wing
 Marketing Board)

WEDNESDAY, JUNE 6, 1984

9:00 A.M. Legislative Budget and Room 461,
 Finance Committee (the 4th Floor
 consideration for public Conference Rm.,
 release of audit reports North Wing
 resulting from the Legis-
 lative Budget and Finance
 Committee's performance audit
 of Department of Transportation)

THURSDAY, JUNE 7, 1984

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

WEDNESDAY, JUNE 13, 1984

11:00 A.M. Public Employee Retire- Room 459,
 ment Study Commission 4th Floor
 Conference Rm.,
 North Wing

THURSDAY, JUNE 21, 1984

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

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 22, 1984, at 11:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 5:55 p.m., Eastern Daylight Saving Time.