

Legislative Journal

WEDNESDAY, FEBRUARY 27, 1985

SESSION OF 1985

169TH OF THE GENERAL ASSEMBLY

No. 15

SENATE

WEDNESDAY, February 27, 1985.

The Senate met at 11:00 a.m., Eastern Standard Time.

The PRESIDENT pro tempore (Robert C. Jubelirer) in the Chair.

PRAYER

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

Our Heavenly Father, in this moment of prayer when there is silence in the Senate Chamber, may our hearts be still that we might know that Thou art God, full of wisdom, power and grace, sufficient for our needs of this day. Thou knowest how much we need Thy guidance. Make us willing to ask for it, eager to have it and ready to apply it. 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 February 26, 1985.

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

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would ask for a Capitol leave on behalf of Senator Shaffer who is meeting with constituents in his office. I request a Capitol leave for Senator Bell who is chairing a meeting of the Legislative Budget and Finance Committee. I request a Capitol leave for Senator Howard who is attending a meeting of the State Employees' Retirement Board. I also request a legislative leave for Senator Salvatore who is meeting with constituents in his district office.

The PRESIDENT pro tempore. Senator Loeper has requested Capitol leaves for Senator Shaffer, Senator Bell and Senator Howard and legislative leave for Senator Salvatore. Are there any objections to those requests? The Chair hears none and the leaves are granted.

Senator MELLOW. Mr. President, I request legislative leaves for Senator Reibman and Senator Jones who are attending a Children's Defense Fund meeting in Washington, D.C.

The PRESIDENT pro tempore. Senator Mellow requests legislative leaves for Senator Reibman and Senator Jones. Are there any objections to those requests? The Chair hears none and the leaves are granted.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Report of Committee of Conference on **SB 129**.

GENERAL COMMUNICATIONS

BILLS INTRODUCED AND REFERRED

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

February 26, 1985

Senators O'PAKE, GREENLEAF, WENGER, SCANLON, ANDREZESKI, LEWIS, MELLOW, SINGEL, REIBMAN, HELFRICK, MOORE and LINCOLN presented to the Chair **SB 403**, entitled:

An Act amending the act of November 26, 1975 (P. L. 438, No. 124), entitled, as amended, "Child Protective Services Law," further providing for record keeping duties of the department; requiring administrators of child care facilities or programs to request certain records before hiring employees; imposing penalties; and making repeals.

Which was committed to the Committee on JUDICIARY, February 26, 1985.

Senators SHUMAKER, FISHER, SHAFFER, HOPPER, O'PAKE, CORMAN, MADIGAN, PETERSON, ANDREZESKI, HESS and KRATZER presented to the Chair **SB 404**, entitled:

An Act providing for the collection and disposal of hazardous waste generated by households and small businesses not covered under Federal law; providing for further duties of the Department of Environmental Resources, for waste collection districts and for collection points; and making appropriations.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 26, 1985.

Senator MELLOW presented to the Chair **SB 405**, entitled:

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), entitled "Civil Service Act," redesignating workmen's compensation referees as workmen's compensation judges.

Which was committed to the Committee on LABOR AND INDUSTRY, February 26, 1985.

Senator MELLOW presented to the Chair **SB 406**, entitled:

An Act making an appropriation to the Everhart Museum in Scranton.

Which was committed to the Committee on APPROPRIATIONS, February 26, 1985.

LISTS OF LOBBYISTS AND ORGANIZATIONS

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

SENATE OF PENNSYLVANIA

February 27, 1985

To the Honorable, the Senate of the Commonwealth of Pennsylvania
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from January 30, 1985 through February 26, 1985 inclusive for the 169th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
MARK R. CORRIGAN
Secretary of the Senate
JOHN J. ZUBECK
Chief Clerk
House of Representatives

(See Appendix for complete list.)

APPOINTMENT BY PRESIDENT PRO TEMPORE

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

Senator Ralph W. Hess as a member of the Committee on Education and Labor of the State-Federal Assembly of the National Conference of State Legislatures.

BILL SIGNED

The PRESIDENT pro tempore (Robert C. Jubelirer) in the presence of the Senate signed the following bill:

SB 129.

APPROVAL OF REGULATIONS

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported State Board of Physical Therapy Examiners Regulation 16A-117 and State Board of Chiropractic Examiners Regulation 16A-119 have been submitted and recommended for approval by the Independent Regulatory Review Commission.

BILL IN PLACE

Senator HANKINS presented to the Chair a bill.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I would like to request three additional temporary Capitol leaves, one for Senator Helfrick, one for Senator Madigan and one for Senator O'Connell. They are in committee meetings.

The PRESIDENT pro tempore. Senator Stauffer has requested temporary Capitol leaves for Senator O'Connell, Senator Helfrick and Senator Madigan. Are there any objections? The Chair hears none and the leaves are granted.

CALENDAR

SPECIAL ORDER OF BUSINESS

SENATE RESOLUTION NO. 12, CALLED UP OUT OF ORDER

Senator STAUFFER, without objection, called up out of order from page 6 of the Calendar, **Senate Resolution No. 12**, entitled:

A Resolution memorializing the Congress of the United States to reject the proposed nonpublic sale of Conrail to Norfolk Southern Corporation.

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

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION NO. 12, ADOPTED

Senator STAUFFER. Mr. President, I move that the Senate do adopt Senate Resolution No. 12.

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—47

Andrezeski	Hess	Moore	Scanlon
Armstrong	Holl	Musto	Shaffer
Bell	Hopper	O'Connell	Shumaker
Bodack	Howard	O'Pake	Singel
Brightbill	Jones	Pecora	Stapleton
Corman	Jubelirer	Peterson	Stauffer
Early	Kratzer	Reibman	Tilghman
Fisher	Lincoln	Rhoades	Wenger
Fumo	Loeper	Rocks	Williams
Greenleaf	Lynch	Romanelli	Wilt

Hankins Madigan Ross Zemprelli
 Helfrick Mellow Salvatore

NAYS—2

Kelley Lewis

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

PERMISSION TO ADDRESS SENATE

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

Senator STOUT. Mr. President, I would like the record to show that I was detained in getting to the floor by our inefficient elevator system. It took me to the basement and it would not release me to get up here to the floor in time to get on the master roll call for the first vote of today's Session. I would like the record to show that I was making every effort to be here and I would have voted in the affirmative.

The PRESIDENT pro tempore. Your remarks certainly will be appropriately noted in the record.

Senator STOUT. Mr. President, as the Minority Chairman of the Committee on Transportation, I am going to call upon the Majority Chairman to work with me to try to work out the transportation problems here in the building.

The PRESIDENT pro tempore. I think that, too, is appropriate, Senator, and that will be noted in the record.

LEGISLATIVE LEAVE CANCELLED

Senator STAUFFER. Mr. President, I would also call to the attention of the Chair that Senator Bell has returned to the floor. I would ask that his temporary Capitol leave be cancelled.

The PRESIDENT pro tempore. The Chair notes the presence of the distinguished gentleman from Delaware County, and Senator Bell's Capitol leave will be cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER TEMPORARILY

HB 18 — Without objection, the bill was passed over in its order temporarily at the request of Senator STAUFFER.

BILL RECOMMITTED

SB 48 (Pr. No. 337) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), entitled "Goods and Services Installment Sales Act," reenacting provisions relating to service charges; and providing for the extension and reversion of certain rates.

Upon motion of Senator STAUFFER, and agreed to, the bill was recommitted to the Committee on Banking and Insurance.

**BILL ON THIRD CONSIDERATION
 AND FINAL PASSAGE**

SB 244 (Pr. No. 279) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, clarifying duties of the boards regarding disability applications; clarifying provisions for certain creditable service; providing for certain installment payments; and modifying eligibility for special early retirement in the State system.

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 LINCOLN. Mr. President, before you go to another roll call, could we make sure the gentleman from Washington, Senator Stout, is included in it?

The PRESIDENT pro tempore. Senator Lincoln, Senator Stout's remarks are on the record so, therefore, he will be on this roll call.

Senator LINCOLN. Mr. President, he was not counted on the first roll call.

The PRESIDENT pro tempore. He will be on this one.

And the question recurring,

Shall the bill pass finally?

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

YEAS—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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 277 (Pr. No. 435) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the appointment, terms and qualifications of commission members.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator STAUFFER. Mr. President, I ask that Senate Bill No. 277 go over in its order.

Senator LINCOLN. Mr. President, I would like to have the gentleman from Allegheny, Senator Bodack, recognized prior to concluding the motion that the Majority Leader made on Senate Bill No. 277.

The PRESIDENT pro tempore. The Majority Leader made a request. Perhaps the Majority Leader would prefer to rephrase his request into a motion.

LEGISLATIVE LEAVE CANCELLED

Senator STAUFFER. Mr. President, I would, if I may, note the return to the floor of Senator Madigan who was on temporary Capitol leave.

The PRESIDENT pro tempore. The Chair would note the presence of the gentleman from Bradford County, Senator Madigan, who is on the floor and his temporary Capitol leave will be cancelled.

And the question recurring,

Will the Senate agree to the bill on third consideration?

MOTION FOR BILL OVER

Senator STAUFFER. Mr. President, I move that Senate Bill No. 277 go over in its order.

On the question,

Will the Senate agree to the motion?

Senator BODACK. Mr. President, I object to Senate Bill No. 277 going over in its order and ask for a roll call vote.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I have just been advised that Senator Wenger has been called from the floor to a meeting of the Committee on Agriculture and Rural Affairs and I would ask for a temporary Capitol leave for him.

The PRESIDENT pro tempore. Senator Stauffer requests a temporary Capitol leave for Senator Wenger. Are there any objections? The Chair hears none and the leave will be granted.

Senator ZEMPRELLI. Mr. President, Senator Stapleton has been called to a meeting of the Committee on Agriculture and Rural Affairs and I request a temporary Capitol leave for him.

The PRESIDENT pro tempore. Senator Zemprelli requests a temporary Capitol leave for Senator Stapleton. Are there any objections? The Chair hears none and the leave will be granted.

The PRESIDENT pro tempore. On the motion to go over Senate Bill No. 277, an "aye" vote means to go over the bill, a "no" vote means not to go over.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—27

Armstrong	Hess	Madigan	Shaffer
Bell	Holl	Moore	Shumaker
Brightbill	Hopper	O'Connell	Stauffer
Corman	Howard	Pecora	Tilghman
Fisher	Jubelirer	Peterson	Wenger
Greenleaf	Kratzer	Rhoades	Wilt
Helfrick	Loeper	Salvatore	

NAYS—23

Andrezeski	Kelley	O'Pake	Singel
Bodack	Lewis	Reibman	Stapleton
Early	Lincoln	Rocks	Stout
Fumo	Lynch	Romanelli	Williams
Hankins	Mellow	Ross	Zemprelli
Jones	Musto	Scanlon	

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

The PRESIDENT pro tempore. Senate Bill No. 277 will go over in its order.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 338 (Pr. No. 391) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 20, 1974 (P. L. 551, No. 190), entitled "Medical Practice Act of 1974," further providing for qualifications for license and for suspension.

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?

LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, I would ask the gentleman simply to yield so that I may get an additional temporary Capitol leave for Senator Romanelli who is leaving the floor.

The PRESIDENT pro tempore. Senator Zemprelli requests a temporary Capitol leave for Senator Romanelli. Are there any objections? The Chair hears none and the leave is granted.

And the question recurring,

Shall the bill pass finally?

Senator O'PAKE. Mr. President, I would like to explain briefly the need for this bill and the next five bills. In 1982, the U.S. General Accounting Office issued a report with a surprising conclusion: Abuse of prescription drugs causes more deaths and medical emergencies than all illegal drugs combined. In fact, prescription drugs account for 75 percent of all drug-related deaths and emergencies.

How do these drug abusers get their hands on drugs which are supposedly available only by prescription? At one time it was thought that most diversion occurred at the wholesale level. However, the federal Drug Enforcement Administration now estimates 80 percent to 90 percent of prescription drug diversion occurs at the retail level; in other words, doctors, clinics and pharmacies.

In 1978, the Special Senate Committee to Investigate Drug Law Enforcement found that disciplinary actions against various health care professionals were often delayed for several months, and even years, while the state Licensing Board conducted its investigation. This committee recommended legislation providing for immediate license suspensions upon conviction of the licensee for a felony under the Controlled Substances Act.

In 1984, similar conclusions and recommendations were developed through the Sunset audit process. For example, the Legislative Budget and Finance Committee audit of the State Medical Board revealed delays of three to four years in investigating physicians. Under current law, even physicians convicted of drug felonies are permitted to practice while the board conducts its own investigation of the charges. In five recent cases involving osteopaths who prescribed dangerous drugs unlawfully, only two out of the five had their licenses revoked, and one of those revocations did not occur until twenty months after the doctor's conviction on seventeen counts.

Over the past year or so, several major city newspapers have also delved into the dangers of bad doctors in Pennsylvania. I specifically want to commend the Philadelphia Daily News for their in-depth series last week on this subject. Those investigations went so far as to name specific practitioners who continue to treat patients today even though they were convicted beyond a reasonable doubt of illegally prescribing dangerous drugs.

The lack of effective laws to immediately suspend these licensees has placed health care consumers, the people of Pennsylvania, at risk. Senate Bills No. 338 through 343 are an attempt, Mr. President, to restore the public's confidence that the people we entrust with our health are not also dealing drugs out the back door.

And the question recurring,
Shall the bill pass finally?

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

YEAS—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SB 339 (Pr. No. 392) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 216, No. 76), entitled "The Dental Law," further providing for qualifications for license and for suspension.

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—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SB 340 (Pr. No. 393) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 5, 1978 (P. L. 1109, No. 261), entitled "Osteopathic Medical Practice Act," further providing for qualifications for license and for suspension.

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—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger

Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SB 341 (Pr. No. 394) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P. L. 317, No. 69), entitled, as amended, "The Professional Nursing Law," further providing for qualifications for license and for suspension.

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—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SB 342 (Pr. No. 395) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 2, 1956 (1955 P. L. 1211, No. 376), entitled "Practical Nurse Law," further providing for qualifications for license and for suspension; and making an editorial change.

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—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SB 343 (Pr. No. 396) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 27, 1961 (P. L. 1700, No. 699), entitled "Pharmacy Act," further providing for qualifications for license and for suspension.

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—50

Andrezeski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	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.

SECOND CONSIDERATION CALENDAR

**PREFERRED APPROPRIATION BILLS
ON SECOND CONSIDERATION**

HB 108 (Pr. No. 116) — The Senate proceeded to consideration of the bill, entitled:

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

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

HB 109 (Pr. No. 455) — The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 36, 82, 123, 128 and 237 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILLS REREFERRED

SB 241 (Pr. No. 247) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 10, 1939 (P. L. 111, No. 51), entitled "Commerce Law," establishing a program of intercity cooperation and exchange in the areas of economic development.

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

SB 246 (Pr. No. 451) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for agreements with other states with reference to income tax and for the tax on real estate transfers.

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

BILL OVER IN ORDER

SB 251 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILLS REREFERRED

SB 258 (Pr. No. 268) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," establishing a State advisory council within the Department of Public Welfare for services to persons with impaired hearing; and providing for membership on the board.

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

SB 259 (Pr. No. 456) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing and imposing powers and duties on the Office for the Deaf and Hearing Impaired in the Department of Public Welfare; providing powers and duties for the Advisory Council for the Deaf and Hearing Impaired; and making an appropriation.

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

SB 271 (Pr. No. 283) — The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 290, 293, 321, 333, 336, 377, 398, 399 and 400 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for purposes of both lunch and a Republican caucus. I am going to ask the Republican Members to eat a hurried lunch today, and ask that they report as closely as possible to our caucus room at 12:30 p.m., with the idea of returning to the floor at 1:00 p.m.

The PRESIDENT pro tempore. Senator Stauffer has requested that the Republican Members of the Senate report to the first floor caucus room at 12:30 p.m. for a brief Republican caucus, and that we return to the floor at 1:00 p.m. Does the Democratic leadership wish to request any Democratic caucus?

Senator LINCOLN. Mr. President, we would like to have the Democratic caucus take place immediately upon the recess.

The PRESIDENT pro tempore. Senator Stauffer requests that all the Republican Members of the Senate report promptly at 12:30 p.m. to the first floor caucus room for a meeting of all Republican Senators. Senator Lincoln has requested that all Democratic Members of the Senate report immediately to the caucus room at the rear of the Senate Chamber. It is their hope that we return to the floor promptly by 1:00 p.m., and with that, the Senate will stand in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES

Senator ZEMPRELLI. Mr. President, I have a request for temporary Capitol leaves on behalf of Senator Fumo and Senator Williams.

The PRESIDENT pro tempore. Is Senator Williams requesting temporary Capitol leave prospectively? Will Senator Williams approach the rostrum, please. Would you like to amend your request to just include Senator Fumo?

Senator ZEMPRELLI. No, Mr. President, I would like to amend my request to include Senator Lynch and to delete Senator Williams.

The PRESIDENT pro tempore. Senator Zempirelli has requested temporary Capitol leaves for Senator Lynch and Senator Fumo. Are there any objections? The Chair hears none. Those leaves will be granted.

Senator STAUFFER. Mr. President, I would ask for a temporary Capitol leave for Senator Hopper who was just called from the floor.

The PRESIDENT pro tempore. Senator Stauffer has requested a temporary Capitol leave for Senator Hopper. Are there any objections to that leave? The Chair hears none and that leave will be granted.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence of Senator Romanelli on the floor and his leave will be cancelled.

CONSIDERATION OF CALENDAR RESUMED

HB 18 CALLED UP

HB 18 (Pr. No. 120) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator STAUFFER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 18 (Pr. No. 120) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," reenacting provisions relating to service charges; and providing for a reversion relating to certain rates.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, lines 7 through 9, by striking out "reenacting provisions relating to" in line 7 and all of lines 8 and 9 and inserting: further providing for the rate of service charges.

Amend Sec. 1, page 1, line 15, by striking out "reenacted" and inserting: amended

Amend Sec. 1 (Sec. 501), page 2, line 3, by inserting brackets before and after "eighteen percent (18%)" and inserting immediately thereafter: fifteen percent (15%)

Amend Sec. 1 (Sec. 904), page 2, lines 16 and 17 by inserting brackets before and after "one and one-half percent (1 1/2%)" and inserting immediately thereafter: one and one-quarter percent (1 1/4%)

Amend Bill, page 2, lines 19 through 30; page 3, lines 1 and 2, by striking out all of said lines on said pages

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

2

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, by virtue of a short preliminary, I have been, since my early election into the House, somewhat directly associated with the financial institutions of the Commonwealth of Pennsylvania by virtue of my being the Chairman of the House Committee on Banking and, at one time, the Chairman of the Senate Committee on Banking, which is now the Senate Committee on Banking and Insurance, and have, in my private life, had a more than passing association with the financial institutions of the Commonwealth. I tried, almost as a hobby, to relate to what happens to finances and how they affect consumers and also how they affect business and industry.

During this history, I am proud to say, Mr. President, that I was one of the parties privy to the original passage of the Goods and Services Installment Sales Act. At that time there was a great deal of apprehension.

POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Westmoreland, Senator Kelley, will state it.

Senator KELLEY. Mr. President, my point of order is to ask for a quorum call.

The PRESIDENT pro tempore. Senator Kelley has requested a quorum call. There would need to be four seconds to that request.

Senator LEWIS. Mr. President, I second the motion.

Senator LINCOLN. Mr. President, I second the motion.

Senator ROCKS. Mr. President, I second the motion.

Senator WILLIAMS. Mr. President, I second the motion.

QUORUM PRESENT

The PRESIDENT pro tempore. On the call for quorum, the Clerk will call the roll.

The Clerk called the roll and the following Senators were present:

Andrezeski	Jubelirer	O'Connell	Shumaker
Armstrong	Kelley	O'Pake	Singel
Bell	Kratzer	Pecora	Stapleton
Brightbill	Lewis	Peterson	Stauffer
Corman	Lincoln	Rhoades	Stout
Early	Loeper	Rocks	Tilghman
Fisher	Madigan	Romanelli	Wenger
Greenleaf	Mellow	Ross	Williams
Hankins	Moore	Scanlon	Wilt
Hess	Musto	Shaffer	Zempirelli
Holl			

The PRESIDENT pro tempore. Forty-one Senators having answered the quorum call, there is a quorum that can do business in the Senate.

And the question recurring,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, my only purpose in stopping was to allow myself to be able to hear myself because

I was not able to hear, and I wanted to be sure I was saying the right thing. I am not unhappy with the quorum call because I appreciate the opportunity to speak before a full house. I am not sure that I would have had that opportunity, and I shall be forever indebted to the gentleman from Westmoreland, Senator Kelley, and others, for having asked for a quorum call.

Mr. President, in my discussion, I stopped at the early history of the Goods and Services Installment Sales Act and related the fact that I was privileged to be a part of the original enactment of that act, and I have a vivid recollection, Mr. President, of what has been said. The apprehension was that the structured rate was not sufficient to allow for business and industry and, also, the consumer would receive an undue benefit and that the cost would eventually have to be borne by the cash purchaser because the credit was not adequate.

Mr. President, a study was made at that time, and I think that study revealed that the cash customer was paying for part of the credit. We succeeded, perhaps, at the outset in increasing the cost of the product and the thought was that once there is more than one denominator by which an ultimate charge could be made in the cost of the product and the cost of the credit and the cost of discount, all of that had an inner relationship, and when we are dealing with one aspect of it, that is not the entire issue. Then later, Mr. President, efforts were successfully made to bring about a higher maximum rate for the Goods and Services Installment Sales Act, and that was brought then at that time to 15 percent. Then the second to the latest effort was one in which the rate was brought to 18 percent. At that point, Mr. President, what was being said by the business and banking community was that the prime rate was somewhere around 20 percent, and for that reason there was a need to increase the maximum. Some of us have very strong feelings about whether or not the prime rate has anything to do with the Goods and Services Installment Sales Act or the cost of credit. It is not an uncomplicated subject. Mr. President, you cannot deal with interest rates in a vacuum so that some of the things I am going to be saying here may seem to be inconsistent with one another because they are not pristine, they never have been and they never will be. The problem that we are dealing with is probably the second most important problem to taxes in our legislative deliberations. We have the business community to be aware of, and we certainly have to be aware of the consumer. We need to be concerned about what our sister and our brother states are doing with respect to establishing interest rates because we are in competition with them, not only for employment but also for our banking communities and the like. We also must be very much concerned with what affect this has upon our consumers, which brings me to this particular point: the last effort to have some involvement with the Goods and Services Installment Sales Act and the so-called plastic business, and that is what it is. It is not statewide, it is not even interstate, it is interworld because we are dealing with the fluid of money and its impact and that is never a colloquial or local problem. As I said, it is not only international but it is interworld, and it is no different here.

Mr. President, when we adjourned last year we, in fact, allowed the users of plastic and those who would put them out to charge a fee for the use of the cards, and with justification because there was among some of our banking communities substantial losses being sustained in that department. It got involved in the differences between retailers and bankers, and there are differences. They fall out in different ways and that needs to be taken into consideration. As a matter of fact, we cannot isolate the consumer discount companies who, in turn, are somewhat involved in this whole process. It almost begins to sound like vegetable soup because we cannot isolate the total flavor from all of its ingredients.

I am now going to point out some salient factors that bring me to the point where I am offering these amendments today. They are simplistic because if the hue and cry at the outset was that we need to increase the rate from 15 percent to 18 percent because of the influence of the prime rate, recognizing it might not be a factor at all or should not have been a factor but was nevertheless in our deliberations, then with the prime rate going from 20 percent to probably somewhere around 11 percent, is it not our responsibility to ask those who would have us continue this rate to justify our continuing that rate at its present form? That is what is being done. The point I raise and the point I make is that, perhaps, we should be looking at this whole matter in a little different way because there are various indices, various methods of coming up with a rate that is fair to all concerned and to allow that rate to move. I have a series of amendments, as a matter of fact, and if any one of them passed, I might be prepared to withdraw the rest because I have graded them in terms of the impact they would have upon the subject matter that is before us. Therefore, Mr. President, that is where I am coming from because as I stand at this podium today making these remarks about the early history of goods and services and how it has progressed, not one person has come to me and stated there is justification for the continuance of this rate at 18 percent with respect to the prime rate being approximately half of what it was any number of years ago. That is why the gentleman from Lackawanna, Senator Mellow, and myself were prompted at the termination of the last Session to ask for an extension of the moratorium for a limited period of time so that hearings might be conducted to bring that kind of advice and intelligence to this Body that would like to act upon a base in such an important subject matter. Though hearings have been held, to my knowledge no information has been forthcoming as to why the prime rate does not now have an impact upon interest in Pennsylvania if, in fact, it did when it went from 15 percent to 18 percent. That is my query. It may very well be if that information is brought forth that I would continue my perfect record of being for higher interest rates. I have not been for the interest rate in this situation. I can justify my vote in the past. I would not be able to today.

Mr. President, the first amendment that is before you, and I assure you that in offering the following amendments I will only make a substantive declaration of what those amendments are and they will be easily understood. The first one is to simply continue the rate at 15 percent.

Senator STAUFFER. Mr. President, I would ask for a negative vote on the amendment.

Senator WILLIAMS. Mr. President, I rise to oppose the amendment and the amendments to follow, and to indicate I will vote to support the bill to extend it to 18 percent.

The speaker and offerer of the amendment, I think, basically gave my reasons. We are in a competitive world today, and Pennsylvania is no different. It is no wonder that even though we voted to outlaw gambling in Pennsylvania that we do still scratch our heads because of the millions and millions of dollars that go to Atlantic City. Their surplus is three times our surplus and we compete reason by reason now for jobs. It is clear in this society that all of us must find ways to accommodate a business and business competition in order to accommodate jobs. It is no wonder we are in a time period of profile where the profile is that negotiations sometimes between business and labor today are about who is giving back what in order that there is survival. Indeed, banks have left Pennsylvania for this very reason. They have gone to Delaware and surrounding states, and, indeed, when it comes to these particular credit cards and the like, most companies can charge that rate and will charge that rate to our citizens although they will be out of state. What is left, those jobs will be gone and the economy will be gone, and so, to be competitive, Mr. President, I think Pennsylvania should maintain the rate where it is. I do not see and have not heard any clear-cut justification in terms of dollars and cents to reduce it. I would offer if that is there, let us see it clearly. I have not seen it. I, therefore, oppose the amendment and urge the defeat of the amendment on the basis that it is good for our competitive economy to maintain the rate where it is, absent of any other factors.

Senator BELL. Mr. President, I was going to silently vote to support the Minority Leader on this amendment, but he asked a question. He asked a question why those who rely on selling this type of financing cannot make money at 15 percent or 18 percent when the prime rate has fallen from 18 percent to 10.5 percent. I think the reason is that there has been a new factor cranked into finance charges, and that is bad debt. What a lot of the small loan people have done is to crank the factor of bad debt in, and they charge all people a higher rate. I think the whole fallacy of this system is someone who has a good credit rating should get a lower interest rate, and someone with bad credit should have a higher interest rate. This is done by the bankers when they lend commercial money. If you have outstanding credit, you get the prime rate. If you do not have good credit, they charge more. This is known to the financial world. I think the whole structure should be restructured so that if someone who pays his bills, and always has paid them, borrows money on this type of financing—like in the bill in front of us—they ought to pay 12 percent or 13 percent, a little bit above the prime rate. But if you are a bad credit risk, I would say you should have to be forced to pay up to even 25 percent. The whole thing is wrong, and I feel we should not crank into the cost of small credit the factor that some merchants are now relying on selling, on a large scale, to people who have bad credit.

Senator LEWIS. Mr. President, I would like to make a few brief remarks which I think would be applicable to the amendments I anticipate the gentleman from Allegheny, Senator Zemprelli, offering, as well as to the bill itself, and to restrict those remarks to a subject I think has not yet been addressed and is unlikely to be addressed, and that is the perception I have that what we are about today is basically a question of freedom of choice. I think that none of us for a moment would delude ourselves into thinking that somehow or another the normal and reasonable costs of doing business are not going to be paid somewhere, somehow and by someone. So as we look at an issue of interest that may be attached to a credit transaction, to not recognize that the cost of money is only one aspect of this is being very short-sighted.

The gentleman from Delaware, Senator Bell, has already indicated that he understands bad debts are another ordinary cost of doing business. We certainly should realize that there are other ordinary costs, whether it is credit card theft that adds to the expenses for the operation of these cards or the administration of the business itself, such as the salaries and the payrolls of the many people that have to be met. The fact of the matter remains that there are costs that are part of doing business. If we are to restrict the interest rate and thereby restrict and reduce the return that is received by the institutions that use these credit cards, then all we are really doing is passing the expenses over into the cost of the goods. When I say that I think the issue then becomes freedom of choice, what really happens under that scenario, one in which we force some of the costs back onto the cost of goods, is that the people who choose not to use credit for their purchases are being required to pay increased costs in order to meet the expenses that are, in fact, existing for those who choose to use credit. I do not think that is a very sound way to approach a business transaction and, more importantly, I think it is a tremendous disservice to consumers in Pennsylvania. If someone chooses to not use credit to make a purchase, I think it is terribly wrong for us to have artificially increased the cost of those goods because there are expenses relating to the credit card process that are not being borne exclusively by those who choose to use credit cards. If I choose to use a credit card, I know full well before that choice is exercised what the cost of that choice will be to me. I have an option: I do not have to use a credit card; I do not have to make the purchase. But if I choose not to use a credit card, then I think it is patently unfair for me to be asked to bear some of the expense artificially because others, in fact, want to make a credit transaction. That is what the issue is all about today.

The gentleman from Allegheny, Senator Zemprelli, has appropriately indicated there are a multitude of factors that go into all of the choices and the conclusions and the rates that need to be established. For us not to recognize the very simple reality of what the consequence will be in a business and in a consumer sense, I think is being equally short-sighted. I think the bill in its present form recognizes the need to generate funds and revenues to pay all of the costs of doing business, and to make a change in that is going to impose an

artificial restriction that will have its impact on people who should not be impacted upon by that choice. I think we should, because of that very simple and very clear consumer reality, defeat these amendments and pass the bill in its form as it is in front of us today, and I would urge my colleagues to do that.

Senator ROCKS. Mr. President, I would like to rise and join with both the gentleman from Philadelphia, Senator Williams, and the gentleman from Bucks, Senator Lewis, in asking for the defeat of the first amendment and what we presume will be some offering of the Zemprelli amendments to follow. It is probably only my distinguished leader in this Chamber who could so effectively offer an amendment with an explanation as to why, maybe, we should not vote for it.

On the power of the argument alone in tax on the City of Philadelphia, and it is one I think most of my colleagues are aware of by now, with two major banking institutions—there are others, but two whose major credit operations are left in that city. The others have left us and gone to the State of Delaware. We are talking about a potential job loss of 2,000 people from our districts in primarily the City of Philadelphia. As I listened to the gentleman from Allegheny, Senator Zemprelli, and the amendment that is in front of us to reduce this interest ceiling to 15 percent, I would just say, oh, if only this issue were so simple. I think each of us here, the politician in us, understand what a vote like this means on a day like today. This is one where we have had to sit back and calculate who the opponent might be who is going to run through our district and hold up the vote of today and say, "At the end of next month when you pay that interest bill, you will have Rocks to thank for the fact that you are paying more in interest than maybe you could have." If this issue were so simple right now as reducing the ceiling that we are attempting to extend at 18 percent in this state to a 15 percent level, but, as the gentleman from Allegheny, Senator Zemprelli, well began to explain, it is just not that simple. In fact, as I listened to the gentleman from Delaware, Senator Bell, who gave some very valid arguments to this dilemma, particularly in the area of installment credit and bad debts, there has been another dilemma that has crept into installment credit that really has become good consumerism. Many of us in here, I think, are consumer-minded enough in our own personal finances that we have learned on installment credit that within thirty days if we pay off that balance, we, in fact, had the use of credit and the use of some money without any charge at all. Overall at an interest rate when it comes to the Installment Credit Act is going to reflect the use of that money. That certainly is a little bit more difficult than explaining what the prime interest rate is in the nation today as opposed to what it was when we went from being the last state in the nation at 15 percent, by the way, to giving our retailers and those in the credit business the opportunity to stay in this state at a rate of 18 percent.

Please let us not, and the gentleman from Allegheny, Senator Zemprelli, alluded to it, believe for one minute that installment credit is really related at all to a prime interest rate argument. I think every one of us in here knows that. This is

not like paying your mortgage where, if you miss a payment, someone is on the telephone and you may lose your home. This is not like buying an automobile today where the people we represent are seeing the big 8.8 percent signs in the windows of showrooms, because if you miss an auto payment, someone is going to come and repossess that automobile. This is retail purchases that many of us have come to rely on the luxury of credit. I happen to be one person here in my personal life who relies on the \$35,000 a year that we are paid to run my family, and I can tell all of the Members very honestly that I need the availability of the credit cards I have today in order to make it through a month. I think that is reflective of most of the people who have sent me here to represent them in this Senate.

The fact of the matter is, Mr. President, there is no such thing, should this amendment pass, as reducing interest from 18 percent to 15 percent. Sixty percent of the credit cards today in the Commonwealth of Pennsylvania come from outside of the Commonwealth of Pennsylvania, and I would challenge many of my colleagues right now to look into their wallets and tell me what states have advertised to them and sent them an application and they, in fact, are walking around with that credit card right now. I say that if, in fact, we play this silly-minded game of talking about a reduction to 15 percent, what we really would do is drive out whatever those interests are who have stuck it out with us in Pennsylvania. I know the two institutions in the City of Philadelphia. Nobody is crying wolf over this. We are not playing blindman's buff with this thing. They are moving to Delaware if we do not extend it with 18 percent. Guess what happens in Delaware? This month it will be 18.25 percent, next month it may go down to 17.9 percent. Six months from now it may be at 19 percent. It is going to float with the marketplace.

The reality of this amendment is there is no such argument today that can reduce this interest rate to 15 percent. My final point would be, let us not forget, as we have some debate, I assume, on this issue, that we establish legislatively in this state a ceiling. That rate can go down. I think that is a challenge to the retailers of this Commonwealth who are heavy into those credit packages that they are offering. I think it is a challenge to the financial and banking institutions that we establish a ceiling. We are not here legislating an interest rate. If that rate can float, it will float, but it never will have that chance in the reality of today's world when we are surrounded by states which allow it to float and we live in a world where the flow of credit really has nothing to do with state lines at all.

Please let us not kid ourselves as to what we are doing. Defeat these amendments and let us get on with the business of the Commonwealth which will be keeping some jobs here and allowing credit to operate in this state at a ceiling of, for now, 18 percent.

Senator LINCOLN. Mr. President, I rise to very strongly support the amendment, and I do so for a number of reasons, the main reason being that I represent people who are going to be very badly affected if the interest rate is permitted to

remain at 18 percent. I would like to say to the previous speaker that I do have a credit card which, at his suggestion, I pulled out and looked at and it says Pittsburgh National Bank on it. It is a Visa, it is brand new. I just got it. It has a real pretty eagle on it. If you move it around, the eagle flies. I have had a Visa card from the Pittsburgh National Bank probably for six years, and I signed a contract with Visa out of Pittsburgh National Bank because it was a Pennsylvania based bank and it is from western Pennsylvania where I live.

Three days ago I received a letter as a credit card customer. I did not receive my copy from Julius Uehlein and Robert T. McIntyre from the AFL-CIO. I received mine first from a guy by the name of Edward V. Randall, from Pittsburgh National Bank, and some other individual from a Delaware based bank which now is going to be my credit card holder. As to the Pittsburgh National Bank, no mention was made of 18 percent or 15 percent, no reason for going there because of the rate being 18 percent or 15 percent. Just a very clear explanation that all at once I have a Delaware based credit card and that my interest rates will not change and my charges will not change, and I can use my card until it expires and then they will give me one with the new bank and I do not even know what it is because I was so angry when I read it that I just tore it up and threw it away.

That is the first thing on credit cards. Let us not kid ourselves. We are losing the banks on credit cards, and it does not make any difference whether it is 18 percent or 15 percent. The retailers are the ones who are interested in this legislation, not the bankers. We are going to face something probably a couple of months down the road dealing with banking on total deregulation. That is the banking industry's interest in this Legislature this year.

Mr. President, I want to tell the Members I resent people arguing in favor of this bill and against this amendment by saying that prime interest has nothing to do with it. Let me tell you I did not just get sworn in in January. I was here when we went through raising interest from 15 percent to 18 percent, and there was only one argument. One argument, no other arguments. Nothing about bad debts being incorporated, nothing about being able to sell here or not being able to sell there. There was one argument. The prime interest rate was close to 20 percent, and the retailers were telling us they could not survive at 15 percent because the interest rates they were paying were 18 percent and 20 percent. If that was the case when we raised it from 15 percent to 18 percent, why is it all at once that the prime interest rate has nothing to do with what we are doing with letting it go from 18 percent back to 15 percent? That argument is not going to work. Maybe they were right and they are right now in that there are other facts involved in this issue that are beyond the prime rate. I did not ask them to come in here in 1982 and tell me that was the prime reason. We have to have it, it was a crisis situation. Now they do not even want to let it go through the Sunset provisions and have it investigated. They want to keep delaying it, have it go on a permanent basis, or whatever. Do not try to get away from the prime interest rate. If it was a reason for

raising it and it is down now to 10 percent, it has to be a reason for lowering it.

The second thing, Mr. President. One of the other speakers who spoke against this amendment talked about choice, and I can tell the Members that I do not think I have ever heard an argument given on the floor of this Body, or the one on the other side when I served over there, that was more to the point. It is a matter of choice, and there are a lot of people who do have a choice. They can go and they can borrow money under different circumstances, go to the bank and get a regular loan at less than 18 percent. They have money in the bank and they can write a check; but the people we are talking about, the people who live in Fayette County and a lot of the other counties in this state which are, maybe not the most affluent, the people who go out and buy the veneer tops on their kitchen sinks and they go buy the washers and dryers as cheap as they can get, those are the people we are talking about paying 18 percent. You know what about choice? They do not have a choice. They may be working in some needlepoint factory in one of the places throughout the state and might have an income of \$12,000 to \$15,000, or whatever it may be. They do not have the money to go out and do it without buying under these circumstances. Those are the people who are going to be affected by us keeping the rate at 18 percent. I grew up with that kind of a person. I still live in a very small town where most of the people have to buy that way, and we are not doing them a favor by allowing them a choice of two washers and dryers rather than one by asking them to pay another hundred bucks over a period of twelve to eighteen months. They do not have a choice. The only choice they have is by sending people here who will represent them and think this through and allow them to have the opportunity to spend that hundred bucks on a heating bill or whatever else they want to do. I say no. I can see the wind blowing and I know my words are going to have no affect whatsoever on this today, but I can tell you that I would not have been able to go home this week if I did not, at least, get up and try to bring this into the perspective of what we are dealing with. Not numbers, not banks in Delaware, but people, almost 12 million of them who live in this Commonwealth, and in most cases I would say half of them are people who do not have the choice that was alluded to earlier. Think about it a little bit. I think this amendment taking it back to 15 percent is one I would support. If there is some possibility that somewhere along the line there can be a compromise, where this issue can be looked at, where there can be some reasonable approach to it, I think we ought to discuss that, and we probably will later today, but I would ask the Members to vote for this amendment.

Senator FUMO. Mr. President, I rise to oppose the amendment, but I want to say why because I think it is important. We have to remove ourselves from the simplistic argument that we, in this Senate, and we, in this state Legislature, can actually really affect these interest rates. The problem here is not what we do as much as it is what has already been done to the industry by the Congress. Interstate banking is a fact of

life. We did not enact interstate banking. We did not foster it. We did not even ask for it. The fact of the matter is that if, in fact, we adopt the 15 percent interest rate, that that will not translate out to our consumers. It may look good in a headline that the Senate stopped the interest rate and all that kind of nonsense, but the bottom line is going to be that those banks, as has been said before, that are in Philadelphia and elsewhere are going to move their operations to Delaware and that other people who deal in commercial credit are going to find ways to sell off those loans to other people who are in Delaware and other states that have now begun to attract this industry, and the consumer will still pay as much if not more than he is currently paying under the 18 percent law. In the process, what happens? We, in Pennsylvania, will lose approximately 2,000 jobs. That is not my number, that is the number that was put forth by the opponents to this bill, by the opponents who say bring it to 15 percent. They said we will lose 2,000 jobs. I know of no economic development program before us that is going to create 2,000 jobs and I do not see anyone concerned about those 2,000 jobs, but I am because the overwhelming majority of those are in Philadelphia and a large number of those individuals live in my district. But I would be willing to forego those jobs if, in fact, we could have a real impact on the interest that is being charged to the consumer. We are kidding ourselves, we are kidding the public and we are kidding the world by this. The real forum for this debate belongs in the Congress of the United States and let us regulate banking in this state and we can lower rates. The way it is now, we have no power to do anything of substance, only form. In the process of doing something of form over substance, we are going to put 2,000 people out of work. That, Mr. President, is intolerable during this time of high unemployment in this state.

I would urge a "no" vote on this and the other amendments. I would urge us to go forth and vote "yes" on the bill, recognizing full well that in some sense we are being blackmailed by some of the banks that threaten to go, but economics dictate that, but recognizing more importantly that the complaint of those people who oppose this legislation belongs in Washington. Everyone cheered when the Congress removed regulations on banking rates so the people could get more interest on their savings, but everyone forgot about the fact that when you pay more interest on savings you are going to charge more interest on loans. You cannot have it both ways. We cannot afford in this state, certainly in Philadelphia and the southeastern Pennsylvania region, to lose 2,000 jobs when, in fact, the net result is that you are not going to save one consumer in this state one nickel. We have to stop kidding everyone about that. I urge a "no" vote, Mr. President.

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

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

YEAS—18

Andrezeski	Lincoln	Reibman	Singel
Bell	Mellow	Romanelli	Stapleton
Bodack	Musto	Ross	Stout
Early	O'Pake	Scanlon	Zemprelli
Kelley	Pecora		

NAYS—32

Armstrong	Hess	Loeper	Salvatore
Brightbill	Holl	Lynch	Shaffer
Corman	Hopper	Madigan	Shumaker
Fisher	Howard	Moore	Stauffer
Fumo	Jones	O'Connell	Tilghman
Greenleaf	Jubelirer	Peterson	Wenger
Hankins	Kratzer	Rhoades	Williams
Helfrick	Lewis	Rocks	Wilt

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. The Chair recognizes the presence on the floor of Senator Shaffer, Senator Fumo, Senator Helfrick, Senator O'Connell, Senator Wenger and Senator Stapleton. Their temporary leaves will be cancelled.

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

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

Amend Title, page 1, lines 7 through 9, by striking out "reenacting provisions relating to" in line 7 and all of lines 8 and 9 and inserting: further providing for the rate of service charges.

Amend Sec. 1, page 1, line 15, by striking out "reenacted" and inserting: amended

Amend Sec. 1 (Sec. 501), page 1, line 16, by inserting after "(a)": (1)

Amend Sec. 1 (Sec. 501), page 2, line 3, by inserting brackets before and after "the equivalent of eighteen percent (18%)" and inserting immediately thereafter: a flexible rate of

Amend Sec. 1 (Sec. 501), page 2, line 4, by removing the period after "annum" and inserting:

as specified in clause (2). (2) The flexible rate of interest to be charged in clause (1) shall be determined by multiplying the interest rate paid by the Federal Government on twenty-six (26) week Treasury bills by two. The rate shall be adjusted semiannually on January 1 and July 1 of each year by the Department of Banking: Provided, however, That under no circumstances shall the annual rate of interest be less than fifteen percent (15%) nor more than eighteen percent (18%).

Amend Sec. 1 (Sec. 904), page 2, line 16, by inserting after "(a)": (1)

Amend Sec. 1 (Sec. 904), page 2, lines 16 and 17, by inserting brackets before and after "one and one-half percent (1 1/2%)" and inserting immediately thereafter: a flexible rate expressed in a percentage

Amend Sec. 1 (Sec. 904), page 2, line 17, by removing the period after "month" and inserting:

as specified in clause (2). (2) The flexible rate of interest to be charged in clause (1) shall be determined by multiplying the interest rate paid by the Federal Government on twenty-six (26) week Treasury bills by two. The rate shall be adjusted semiannually on January 1 and July 1 of each year by the Department of Banking:

Provided, however, That under no circumstances shall the annual rate of interest be less than fifteen percent (15%) nor more than eighteen percent (18%).

Amend Bill, page 2, lines 19 through 30; page 3, lines 1 and 2, by striking out all of said lines on said pages

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

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, one of the successes that the General Assembly has had in the past is to establish a maximum mortgage rate that floats within a certain percentage over the mean of what has been regarded as a trackable financial index. There is no reason why the same thing could not be adopted on a semi-annual basis on adjustment with respect to the Goods and Services Installment Sales Act. It basically is a take from that approach to a resolution of a moveable economy and a moveable financial situation which I think is very realistic in today's time.

What the amendment simply does is to establish a minimum of 15 percent and a maximum of 18 percent but to allow that rate to float by doubling the T-note rate on an established index. So what we would be doing is reflecting the economy of the state, the cost of money and all the other factors, but insuring to the business community that the rate will not go below 15 percent nor would it go above 18 percent. Adjusted to today's standards, if I were to apply the amendment, if it were in place, the rate as of today would be 16.75 percent, allowing for semi-annual adjustment. I ask the Senate to give serious consideration to this amendment as being a reasonable compromise to the situation.

Senator STAUFFER. Mr. President, I think the arguments have been made already that would pertain to this amendment as well as the last one, and without prolonging the debate, I would ask for a "no" vote on the amendment.

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Zemprelli.

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

Senator ZEMPRELLI. I will, Mr. President.

Senator KELLEY. Mr. President, as I understand the amendment offered by the gentleman, he is saying there will be a minimum of 15 percent interest charged. Is that correct?

Senator ZEMPRELLI. Yes, Mr. President.

Senator KELLEY. Mr. President, I can understand why the public interest would be served for the imposition of maximum interest chargeable at law, but I cannot understand the basis of why we would mandate the minimum interest to be charged. Would the gentleman explain to me the basis upon which we would say that you must charge at least 15 percent?

Senator ZEMPRELLI. Mr. President, I think there are two compelling factors, both of which I have expressed as caveats in my earlier dissertation. One is that the cost of money is not the total consideration in the establishment of goods and ser-

vices. I think there is a real concern about interstate competition. I think there is a real concern about the cost of credit. However, in the second factor, of course, is the stabilization within the financial industry in terms of the progress that it would make in the extension of credit. That is basically what we did with the mortgage bill, and I am not sure whether we established minimums and maximums in that or not. However, the approach was the same. A history of the tracking of the federal T-note bills would indicate that it would fall pretty much within those classifications, but to ensure that at the time the credit was extended, it would be on a base that had some credibility that you would establish the minimum and the maximum, because it is a tracking problem. It means that they are related, but in another sense they are not, and that is why the mechanism was used.

Senator KELLEY. Mr. President, I followed with close scrutiny the mental gymnastics that the gentleman used to respond to my question, but I do not believe he answered the question. The point is that I asked what basis there would be in a minimum imposition. Let me restate the question, if I may, to the gentleman, Mr. President. If I happen to be involved in a retail business and I am efficient enough that I can make a reasonable profit and get a reasonable return therefor and still only have to charge 10 percent interest, if this amendment would pass, Mr. President, would I be permitted to do so? I understand the answer is no. Am I correct?

Senator ZEMPRELLI. Mr. President, we are talking about the extension of credit within the Goods and Services Installment Sales Act. We are talking about maximums in the sense they cannot charge more than the amounts but would be permitted to charge up to a certain amount. The simplification of application that I am speaking to is that the merchant can charge as much as he wants, not to exceed a certain percentage, and that the application would be, that in practice if the T-rate, for example, went to 7 percent on the mean and you allowed, as this amendment does, a duplication of that as the maximum rate, it would then be 14 percent or under the 15 percent. Under those circumstances prevailing, the merchant would be permitted under the credit card application and goods and services provisions to charge a maximum of 15 percent. What I am saying is the minimum relates to the amount of the charge that the merchant would be allowed or the bank would be allowed irrespective of the tracking of the T-rate bill.

Senator KELLEY. As I understand the answer, Mr. President, the minimum imposition through which the sponsor of the amendment has given no justifiable reason for support would certainly be one that each one of us would have to, you might say, rationalize in our own mind, and I have to regretfully say I am happy to vote against this amendment.

Senator ZEMPRELLI. Mr. President, so there is no question about it, if the merchant wants to charge one percent or no percent, he may. I think a better terminology would be to say that the minimum maximum would be 15 percent and the maximum maximum would be 18 percent, and that puts it into perspective by way of terminology as I view it.

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

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

YEAS—19

Andrezeski	Kratzer	Pecora	Singel
Bell	Lincoln	Reibman	Stapleton
Bodack	Mellow	Romanelli	Stout
Early	Musto	Ross	Zemprelli
Greenleaf	O'Pake	Scanlon	

NAYS—31

Armstrong	Holl	Lynch	Shaffer
Brightbill	Hopper	Madigan	Shumaker
Corman	Howard	Moore	Stauffer
Fisher	Jones	O'Connell	Tilghman
Fumo	Jubelirer	Peterson	Wenger
Hankins	Kelley	Rhoades	Williams
Helfrick	Lewis	Rocks	Wilt
Hess	Loeper	Salvatore	

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

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

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I request temporary Capitol leaves for Senator Fumo and Senator Andrezeski.

The PRESIDENT pro tempore. Senator Lincoln requests temporary Capitol leaves for Senator Fumo and Senator Andrezeski. Are there any objections? The Chair hears none and the leaves will be granted.

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

Senator ZEMPRELLI. Mr. President, my twenty-one years in the General Assembly have made a very practical person out of me. I have four other amendments and there is only so much bleeding you can do. I have bled enough yesterday and today, so I am going to withdraw the rest of my amendments. I would want the General Assembly to know that I had four additional amendments for consideration, all of which dealt with the sensitive subject matter, the interest rates, and I considered them to be fair and should have been considered. I am also acutely aware, from the roll calls that were taken, that I have about as much chance of passing these amendments as a snowball in hell, and, therefore, I am not going to offer them.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was 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—33

Armstrong	Holl	Moore	Shumaker
Brightbill	Hopper	O'Connell	Singel
Corman	Howard	O'Pake	Stauffer
Fisher	Jubelirer	Peterson	Stout
Fumo	Kelley	Reibman	Tilghman
Greenleaf	Lewis	Rocks	Wenger
Hankins	Loeper	Salvatore	Williams
Helfrick	Madigan	Shaffer	Wilt
Hess			

NAYS—17

Andrezeski	Kratzer	Musto	Ross
Bell	Lincoln	Pecora	Scanlon
Bodack	Lynch	Rhoades	Stapleton
Early	Mellow	Romanelli	Zemprelli
Jones			

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

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

SENATE RESOLUTION

COMMEMORATING THE OBSERVANCE OF NATIONAL WOMEN'S HISTORY WEEK AND URGING THE PEOPLE TO PARTICIPATE IN THE OBSERVANCE

Senator MOORE, on behalf of Senators HOPPER, SHUMAKER and himself, offered the following resolution (Senate Resolution No. 15), which was read, considered and adopted:

In the Senate, February 27, 1985.

A RESOLUTION

Commemorating the observance of National Women's History Week and urging the people to participate in the observance.

WHEREAS, The week of March 3 through March 9, 1985, has been set aside as National Women's History Week to honor and commemorate the contributions women have made to the rich history of this Nation; and

WHEREAS, March 8 has been designated internationally as Women's Day; and

WHEREAS, This Commonwealth has contributed the exemplary characters of great women to be of service to this Nation and our World; and

WHEREAS, This Commonwealth traditionally has recognized the need to pioneer in the establishment of women's political, economic and social equality, and to this end established in 1964 the Commission on Women (originally the Commission on the Status of Women), passed in 1971 the Equal Rights Amendment to the Pennsylvania Constitution in Article I, section 28, and ratified the Federal Equal Rights Amendment in 1969; and

WHEREAS, Events related to the observance of National Women's History Week will include a luncheon in Harrisburg on March 5, sponsored by the Commission for Women, presenting Elisabeth Griffith, biographer of women's rights pioneer Elizabeth Cady Stanton; therefore be it

RESOLVED, That the Senate join in commemorating the observance of National Women's History Week and urge the people of Pennsylvania to participate in its observance.

EXECUTIVE NOMINATION**EXECUTIVE SESSION**

Motion was made by Senator BRIGHTBILL,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nomination made by the Governor.

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

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

The Clerk read the nomination as follows:

**SHERIFF IN AND FOR THE COUNTY
OF MCKEAN**

February 13, 1985.

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 Donald D. Morey, 518 Greeves Street, Kane 16735, McKean County, Twenty-fifth Senatorial District, for appointment as Sheriff in and for the County of McKean, to serve until the first Monday of January, 1986, vice Richard J. Miller, resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nomination?

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

YEAS—50

Andrezski	Holl	Moore	Scanlon
Armstrong	Hopper	Musto	Shaffer
Bell	Howard	O'Connell	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	Kratzer	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess	Mellow		

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

UNFINISHED BUSINESS**BILLS IN PLACE**

Senator ROCKS presented to the Chair a bill.

Senator SINGEL, on behalf of Senator ANDREZESKI, presented to the Chair a bill.

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 Carole Zacharias and to Isabel Rambow by Senator Greenleaf.

Congratulations of the Senate were extended to Mindy Clark by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. A. Wayne Readinger and to the members of the Light of Christ Council, No. 8726 of the Order of the Knights of Columbus, by Senator O'Pake.

Congratulations of the Senate were extended to Jon C. Maury, Raymond Bartolacci and to Fred O. Bartholomew III by Senator Reibman.

Congratulations of the Senate were extended to Mrs. Lottie Talady Strum by Senator Ross.

Congratulations of the Senate were extended to Rabbi Ira Samuel Grussgott by Senator Salvatore.

Congratulations of the Senate were extended to Stephen M. Juenger by Senator Tilghman.

PETITIONS AND REMONSTRANCES

Senator RHOADES. Mr. President, yesterday I, along with the gentleman from Cambria, Senator Singel, the gentleman from Centre, Senator Corman, and the gentleman from Fayette, Senator Lincoln, introduced critically needed legislation which will return the Commonwealth's Small Communities Development Block Grant Program to a need oriented, competitive program which will truly serve the housing, community and economic development needs of our small communities throughout the state. This legislation will return the state's program to match the intent and purpose of the federal Community Development Block Grant Program.

Late last week, we learned that HUD had effectively frozen the 1985 CDBG program in Pennsylvania until several concerns with the administration of the program and, more importantly, the intent of Act 179 of last Session could be resolved. Effectively, the 1985 CDBG budget is frozen until the Governor can certify that HUD's concerns have been fully addressed and corrected. Several points of HUD's criticism of Act 179 are minor and could be resolved, but one point of their criticism cannot be resolved unless the basic intent of Act 179 is totally restructured.

Section 120 of the federal Housing and Community Development Act provides that no community shall be barred from equal participation in any program solely on the basis of pop-

ulation. In HUD's viewpoint, Act 179 effectively discriminates against many deserving small communities across the Commonwealth by, one, limiting the total funds to small communities to a small and arbitrary amount and, two, discriminating among entitlement communities solely on the pre-selected criteria of population.

Yesterday we proposed a program which will allow the Small Communities Program to provide grants of up to 62 percent of their budget for critically needed projects throughout the state. These will be earned and awarded on a competitive basis and eligible to all communities in need across the state. In addition, 38 percent of the CDBG budget will be funneled to our counties to meet the need of projects and proposals on an annual basis that are best known and understood at the local county level.

A competitive needs based program which also has the flexibility to channel grant monies through our county governments on an annual basis would spell success for our Small Communities Program, and that is precisely what this legislation is aimed at accomplishing. We proposed the program that meets the needs of our most critically deserving communities while simultaneously providing a steady stream of funding at the county and local government level for all our small communities to share.

Senator SINGEL. Mr. President, I rise to support and commend the efforts of the gentleman from Schuylkill, Senator Rhoades, and to join him in the effort to revise our small communities funding program in the State of Pennsylvania. As indicated last year when we altered the formula and established an entitlement period, though that effort was well-intentioned, it was misguided in the sense that we excluded from consideration numbers upon numbers of small communities. This bill is an effort to return the focus on small communities, boroughs and townships, and small cities, and so on, who may not have the requisite amount of people in it to qualify as an entitlement area.

The federal government has now said that, in fact, we may have made a mistake by applying population criteria to the entitlement program. I, for one, feel the money has to be allocated upon need. As I said in the debate back when this bill was first adopted, it does not matter if there are ten people in a community or 10,000 people in a community, that sewer system or that housing project is still going to cost hundreds of thousands of dollars. This competitive program, as outlined by the gentleman from Schuylkill, Senator Rhoades, is going to allow all of the small communities to compete on an equal basis and to move ahead with some vitally needed programs.

In my own area we benefited, for example, from the small communities funding with thirteen different projects that totaled over \$5 million worth of development in one of the most economically depressed areas of the state. That kind of funding had been effectively shut off when we went to the entitlement formula. This type of redrafting of the bill will once again enable those small areas that are most desperately in need of our assistance to receive funding and move ahead

with their development efforts. I am going to be working very hard with the gentleman from Schuylkill, Senator Rhoades, and others to have this bill enacted as soon as possible.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

February 27, 1985

HB 117 — Committee on Environmental Resources and Energy.

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

February 27, 1985

House Concurrent Resolution No. 30 — Committee on Military and Veterans Affairs.

GENERAL COMMUNICATION

RESOLUTION INTRODUCED AND REFERRED

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

February 27, 1985

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE THE PROBLEMS CONNECTED WITH THE PROVISIONS OF THE ELECTION CODE WHICH AUTHORIZE CROSSFILINGS

Senators GREENLEAF, FISHER, SHUMAKER, HELFRICK, O'PAKE, CORMAN, SALVATORE and ANDREZESKI offered the following resolution (**Senate Resolution No. 14**), which was read and referred to the Committee on State Government:

In the Senate, February 27, 1985.

A RESOLUTION

Directing the Joint State Government Commission to investigate the problems connected with the provisions of the Election Code which authorize crossfilings.

WHEREAS, Since the adoption of amendments to the Election Code which authorized crossfilings for judicial positions and school boards many problems have surfaced which have resulted in confusion for the voters and the disenfranchisement of certain persons; and

WHEREAS, One example of the confusion is the lack of party designation on the ballot. One example of the disenfranchisement is the inability of persons registered as nonpartisans or independents from crossfiling in the primaries; and

WHEREAS, These problems should be investigated; therefore be it

RESOLVED, That the Senate directs the Joint State Government Commission to investigate the problems connected with the provisions of the Election Code which authorize crossfilings; and be it further

RESOLVED, That the Joint State Government Commission report its findings and suggested amendments to the Election Code as soon as possible.

ANNOUNCEMENT BY PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Senate will be at ease until such time as we hear from the House on House Bill No. 18.

(The Senate was at ease.)

BILL SIGNED

The PRESIDENT pro tempore (Robert C. Jubelirer) in the presence of the Senate signed the following bill:

HB 18.

ADJOURNMENT

Senator STAUFFER. Mr. President, I move the Senate do now adjourn until Monday, March 18, 1985, at 2:00 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 2:54 p.m., Eastern Standard Time.