

Legislative Journal

TUESDAY, JUNE 4, 1985

SESSION OF 1985

169TH OF THE GENERAL ASSEMBLY

No. 41

SENATE

TUESDAY, June 4, 1985.

The Senate met at 1:00 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, the Reverend Mr. ROBERT CARLYON, Pastor of St. James Episcopal Church, Schuylkill Haven, offered the following prayer:

Let us pray.

Almighty God, Who doth told us to account for the use of all our powers and privileges, guide, we pray, the Members of this Senate of the State of Pennsylvania, that by wise legislation and faithful administration, the rights of all may be protected and our state may be enabled to fulfill Thy purposes.

We thank Thee for the continued blessings of our peoples, we thank Thee for the pioneers who have opened the way and laid the foundations for us. Grant that we may ever dedicate ourselves to the unfinished work they so nobly advanced, that the government of the people, by the people and for the people shall not perish from the earth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 3, 1985.

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 would ask for a legislative leave for today's Session for Senator Wilt who is touring the Wheatland area with Vice President Bush.

Senator LINCOLN. Mr. President, I would ask for a legislative leave for Senator Andrezeski, who is in his district because of the conditions brought on by the weather last week, and temporary legislative leaves for Senator Williams and Senator Hankins.

The PRESIDENT. Are there objections to the following leaves: legislative leaves for Senator Wilt and Senator

Andrezeski and temporary legislative leaves for Senator Williams and Senator Hankins? The Chair hears none. Those leaves are granted.

LEAVES OF ABSENCE

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

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The PRESIDENT 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:

SHERIFF IN AND FOR THE COUNTY OF CHESTER

June 3, 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 Robert A. Erling, 4 But-tonwood Drive, West Grove 19390, Chester County, Thirty-sixth Senatorial District, for appointment as Sheriff in and for the County of Chester, to serve until the first Monday of January, 1986, vice Frederic Fulton, deceased.

DICK THORNBURGH.

DISTRICT JUSTICE

June 3, 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 Terry L. Keller, 807 Sandbank Road, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as District Justice in and for the County of Cumberland, Magisterial District 9-3-03, to serve until the first Monday of January, 1986, vice Chester Brymesser, resigned.

DICK THORNBURGH.

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

**MEMBER OF THE BOARD OF TRUSTEES
OF EMBREEVILLE STATE HOSPITAL**

June 4, 1985.

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 29, 1985 for the appointment of Violet D. Armstead, 295 Northview Drive, Coatesville 19320, Chester County, Thirty-sixth Senatorial District, 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.

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

DICK THORNBURGH.

**RECALL COMMUNICATIONS
LAID ON THE TABLE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and laid on the table:

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

June 4, 1985.

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 28, 1985 for the appointment of William Cody Anderson, 523 Westview Street, Philadelphia 19119, Philadelphia County, Fourth 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, 1991, and until his successor is appointed and qualified, vice Robert W. Lentz, Valley Forge, resigned.

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

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

June 4, 1985.

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 28, 1985 for the appointment of Donald

Donofrio, 25 Williams Lane, Hatboro 19040, Montgomery County, Twelfth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of two years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, pursuant to Act 100, approved June 30, 1984, to fill a new position.

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

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

June 4, 1985.

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 28, 1985 for the reappointment of Richard A. Eastman (Public Member), 1350 Hickory Road, Macungie 18062, Lehigh County, Forty-eighth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of one year and until his successor shall have been appointed and qualified, but not longer than six months beyond that period.

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

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

June 4, 1985.

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 28, 1985 for the appointment of Mario P. Ricciardi, 126 Alverstone Road, Clifton Heights 19081, Delaware County, Twenty-sixth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, to fill a new position, pursuant to Act 100, approved June 30, 1984.

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

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

June 4, 1985.

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 28, 1985 for the appointment of Clair E. Troy, 106 West Main Street, P. O. Box 554, Elizabethville 17023, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, pursuant to Act 100, approved June 30, 1984, to fill a new position.

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

DICK THORNBURGH.

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

June 4, 1985.

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 10, 1985 for the appointment of Fred W. Taylor, R. D. 2, Box SV30, East Stroudsburg 18301, Monroe County, Twentieth Senatorial District, as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Cosmo G. Lalli, Dunmore, whose term expired.

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

DICK THORNBURGH.

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 4, 1985.

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 28, 1985 for the appointment of Thomas L. McGill, Jr., Esquire, 6809 Emlen Street, Apartment 301, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1986, vice the Honorable Stanley M. Greenberg, resigned.

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

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

June 4, 1985.

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 28, 1985 for the appointment of Walter L. Crocker, 320 Anthon Drive, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, as a member of the Pennsylvania Board of Probation and Parole, to serve until December 31, 1988, or until his successor is appointed and qualified, vice John H. Jefferson, Philadelphia, resigned.

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

DICK THORNBURGH.

PROTHONOTARY AND CLERK OF COURTS
IN AND FOR THE COUNTY OF ARMSTRONG

June 4, 1985.

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 28, 1985 for the appointment of Robert L. Blackburn, 879 Freeport Road, Freeport 16229, Armstrong County, Fortieth Senatorial District, as Prothonotary and Clerk of Courts in and for the County of Armstrong, to serve until the first Monday of January, 1986, vice James G. Kepics, deceased.

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

DICK THORNBURGH.

SHERIFF IN AND FOR THE
COUNTY OF CAMBRIA

June 4, 1985.

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 28, 1985 for the appointment of Richard W. Frombach, R. D. 1, Box 422, South Fork 15956, Cambria County, Thirty-fifth Senatorial District, as Sheriff in and for the County of Cambria, to serve until the first Monday of January, 1986, vice Joseph Cavanaugh, deceased.

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

DICK THORNBURGH.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

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:

June 4, 1985

HB 453 — Committee on Transportation.

GENERAL COMMUNICATIONS

BILLS INTRODUCED AND REFERRED

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

June 4, 1985

Senators BRIGHTBILL, MELLOW, PECORA, MOORE, SHUMAKER and O'PAKE presented to the Chair **SB 928**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding definitions; further providing for the liability of professional health service corporations; adding provisions relating to predetermination of dental services and claims for payment; providing for the liability of dental services corporations; and making editorial changes.

Which was committed to the Committee on BANKING AND INSURANCE, June 4, 1985.

Senators O'CONNELL, SHAFFER, ROSS, REIBMAN, SALVATORE, HANKINS, WILLIAMS and LYNCH presented to the Chair **SB 929**, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, June 4, 1985.

Senators REIBMAN, MUSTO, SALVATORE, MELLOW, STAPLETON, ANDREZESKI and FUMO presented to the Chair **SB 930**, entitled:

An Act providing for the control of pesticides.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 4, 1985.

Senators CORMAN, WENGER, ROMANELLI, LEWIS, SHAFFER and RHOADES presented to the Chair **SB 931**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," providing for the inclusion of mayors and councilmen in certain group insurance policies.

Which was committed to the Committee on LOCAL GOVERNMENT, June 4, 1985.

REPORTS FROM COMMITTEES

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

SB 661 (Pr. No. 756)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unauthorized practice of law.

SB 708 (Pr. No. 1099) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for corrupt organizations; and making editorial corrections.

HB 666 (Pr. No. 919)

An Act amending the act of July 9, 1976 (P. L. 586, No. 142), known as the "Judiciary Act of 1976," further providing for fees charged by the office of the prothonotary of the court of common pleas of counties of the first class and for fees for public law libraries in counties of the second class A.

Senator HOWARD, from the Committee on Finance, reported the following bill:

HB 136 (Pr. No. 1625) (Amended) (Rereported)

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," shifting the burden of proof from vendors to the Department of Revenue on questions concerning the utilization of exemption certificates; eliminating the split second quarter for filing of sales tax returns; reducing the personal income tax rate; permitting the equitable adjustment of taxes and penalties; revising the provisions relating to net loss carryover; adding a definition of "taxable year"; pro-

viding a processing exemption for computer software from the capital stock and franchise tax; providing an investment credit; eliminating tentative payments for corporate net income taxes and requiring the prepayment of estimated taxes; reducing tentative tax payments for the capital stock and franchise tax; providing an unemployment compensation interest fund tax; changing the time period within which petitions for refunds may be filed; and making repeals.

Senator HESS, from the Committee on Education, reported the following bills:

SB 672 (Pr. No. 1097) (Amended)

An Act authorizing the Board of the Ben Franklin Partnership Fund to make institutional equipment grants on behalf of full-time equivalent undergraduate students attending institutions of higher education in the Commonwealth; and making an appropriation.

SB 774 (Pr. No. 889)

An Act amending the act of June 14, 1961 (P. L. 324, No. 188), entitled "The Library Code," further providing for State-aid for libraries.

SB 812 (Pr. No. 939)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for teacher certification requirements.

SB 872 (Pr. No. 1098) (Amended)

An Act amending the act of August 24, 1963 (P. L. 1132, No. 484), entitled "Community College Act of 1963," further providing for payments by the Commonwealth.

HB 150 (Pr. No. 1616) (Amended)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the State System of Higher Education.

Senator SHUMAKER, from the Committee on Law and Justice, reported the following bills:

SB 383 (Pr. No. 1094) (Amended)

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for licenses for certain performing arts facilities.

SB 770 (Pr. No. 1095) (Amended)

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," permitting certain licensees, distillers and manufacturers to sponsor certain tournaments and contests of skill, speed, strength or endurance.

SB 860 (Pr. No. 1096) (Amended)

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, adding provisions relating to alarm businesses.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I would request a temporary Capitol leave for Senator Jubelirer who has been detained in his office.

The PRESIDENT. Is there an objection to a temporary Capitol leave for Senator Jubelirer? The Chair hears none. That leave is granted.

Senator MELLOW. Mr. President, I request a legislative leave for Senator Musto.

The PRESIDENT. Is there an objection to a legislative leave for Senator Musto? The Chair hears none. That leave is granted.

CALENDAR

SPECIAL ORDER OF BUSINESS

SB 684 CALLED UP OUT OF ORDER

SB 684 (Pr. No. 779) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 684 (Pr. No. 779) — 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," prohibiting elected officials of boroughs from serving as employees of that borough.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVE CANCELLED

Senator LINCOLN. Mr. President, Senator Musto is now on the floor, and I request that we cancel his leave.

The PRESIDENT. Senator Musto's legislative leave will be cancelled.

And the question recurring,
Shall the bill pass finally?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—30

Bell	Jones	Reibman	Stapleton
Brightbill	Jubelirer	Romanelli	Stauffer
Corman	Kratzer	Ross	Stout
Greenleaf	Loeper	Salvatore	Tilghman
Hess	Madigan	Scanlon	Wenger
Holl	Moore	Shumaker	Wilt
Hopper	O'Pake	Singel	Zemprelli
Howard	Pecora		

NAYS—18

Andrezeski	Fumo	Lynch	Rhoades
Armstrong	Hankins	Mellow	Rocks
Bodack	Helfrick	Musto	Shaffer
Early	Kelley	Peterson	Williams
Fisher	Lincoln		

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

RECONSIDERATION OF SB 684

BILL OVER IN ORDER ON FINAL PASSAGE

Senator STAUFFER. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 684, Printer's No. 779, just passed finally.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

Senator STAUFFER. Mr. President, I request that Senate Bill No. 684 go over in its order and appear on the Final Passage Calendar.

The PRESIDENT. There being no objection, the bill will be placed on the Final Passage Calendar.

GUESTS OF SENATOR MARK S. SINGEL PRESENTED TO SENATE

Senator SINGEL. Mr. President, it gives me great pleasure to introduce two individuals from my Senatorial district who are in the gallery today, Mr. Walter Andrews and his lovely wife, Maggie. Walter is the new Executive Director of the Northern Cambria County Chamber of Commerce. I would appreciate the Senate offering its usual warm welcome to them.

The PRESIDENT. Would Senator Singel's guests please rise so the Senate may offer them its traditional warm welcome.

(Applause.)

GUESTS OF SENATOR JAMES R. KELLEY PRESENTED TO SENATE

Senator KELLEY. Mr. President, I have two guests in the gallery. I would ask you to extend the usual warm welcome of the Senate to Anthony Caletri, Executive Director of the Central Westmoreland Chamber of Commerce, and Mr. Charles Moore.

The PRESIDENT. Would Senator Kelley's guests kindly rise so the Senate may give you its traditional warm welcome. (Applause.)

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I would request a legislative leave for Senator Musto who is on business with the Committee on Environmental Resources and Energy and a temporary Capitol leave for Senator Jones who has been called to her office.

The PRESIDENT. Is there any objection to a legislative leave for Senator Musto and a temporary Capitol leave for Senator Jones? The Chair hears no objection, and those leaves are granted.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Jubelirer is back on the floor, so his temporary Capitol leave will be cancelled.

RECESS

Senator STAUFFER. Mr. President, at this time I would ask for a very brief recess of the Senate for the purpose of a Republican caucus to be held in the Rules Committee room. It is my expectation that this caucus will take no longer than five or six minutes. We will return to the floor to continue our activity, and we will then have a later caucus and further consideration of the Calendar later in the afternoon. At this time I would like a very brief caucus in the Rules Committee room.

Senator ZEMPRELLI. Mr. President, in view of the statement by the Majority Leader that, most probably, the Republicans will have a caucus on the Calendar at a later time, I would instruct the Members of our caucus that we will stay at ease until they are completed.

The PRESIDENT. For the purpose of a Republican caucus which will convene immediately in the Rules Committee room at the rear of the Chamber, the Chair declares the Senate in recess.

AFTER RECESS

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator BRIGHTBILL,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

February 28, 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 L. Martin Miller, C.P.A., 204 Dove Lane, Haverford 19041, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of that period, vice Ezra Miller, Mount Wolf, resigned.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD

April 29, 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 Robert C. Eyerly, M.D., Geisinger Medical Center, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified.

DICK THORNBURGH.

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

February 28, 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 Glenn Y. Forney, R. D. 4, Box 4046, Stroudsburg 18360, Monroe County, Twentieth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Louis M. Sauers, McAdoo, resigned.

DICK THORNBURGH.

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

February 28, 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 W. Edmund Magann, D.D.S., 1016 Forrest Drive, Stroudsburg 18360, Monroe County, Twentieth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice F. Kennard Lewis, Esquire, East Stroudsburg, resigned.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

February 28, 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 Kenneth Ross, 6226 Mellon Park Court, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 1990, and until his successor is appointed and qualified, vice James A. Lineberger, Philadelphia, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE PLANNING BOARD

May 6, 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 Lawrence F. Keba, 20 Acacia Street, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the State Planning Board, to serve until December 13, 1988, and until his successor is appointed and qualified, vice Keith Eckel, Clarks Summit, whose term expired.

DICK THORNBURGH.

MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD

May 3, 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 Albert R. Fondy, 2433 Pin Oak Place, Pittsburgh 15220, Allegheny County, Forty-second Senatorial District, for reappointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 1988, and until his successor is appointed and qualified.

DICK THORNBURGH.

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

May 14, 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 Paul E. Bogar, 110 Steward Place, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

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

May 14, 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 Floyd M. Mains, 45 Montgomery Avenue, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—48

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

NAYS—0

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

Ordered, That the Governor be informed accordingly.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair notes the return to the floor of Senator Jones whose temporary Capitol leave will be cancelled.

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:

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

April 30, 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 Dr. Robert C. Wilburn, 310 South Homewood Avenue, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve until June 4, 1987, and until his successor is appointed and qualified, vice Ray M. Bollinger, Richland, resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nomination?

Senator KELLEY. Mr. President, several weeks ago when we first considered this nominee for this position, the gentleman from Chester read and offered as support for this confirmation a communication from His Excellency, the Governor, and set forth as well that it was, I suppose, concurred in by the media releases from the Governor's Office that the Governor was withholding any action on House Bill No. 1 and the Senate companion bills which are the construction projects under this Turnpike Authority until such time that he, the Governor, was satisfied with the quality of the membership of the Turnpike Commission in relationship for administration. I would like to share, Mr. President, an excerpt from the Legislative Journal of this Body on May 5, 1937, when one of the Members, Senator Ealy, was a reluctant supporter of the original Turnpike Commission bill that was considered that day. He said:

"The road may prove a great monument to its builders if construction costs are kept down and the management is efficient and honest, but it has the greatest possibilities of corruption if the Governor fails to select men of the highest character and ability for commissioners."

Mr. President, three of the four sitting members as commissioners this day were nominated by His Excellency, the Governor. His reasons, as set forth by the gentleman from Chester, are greatly suspect. I accuse the Governor personally, saying that he is guilty of political extortion by saying he is withholding the construction authorization. Likewise, Mr. President,

the gentleman from Allegheny County several weeks ago talked about considering other aspects. I suppose I would admonish my Republican colleagues on the other side that they should not support the confirmation of this nominee for the reasons the Governor has given because he is guilty and living in a glass house. I admonish my colleagues on this side of the aisle, my fellow Democrats, not to withhold confirmation because a so-called commitment is not in their area. I think, Mr. President, this issue is more important than any single district or political party. The Governor is wrong and on the same basis so are the opponents of this confirmation because they want to hold power of some sort or other. What we are doing is saying we want to punish our 12 million citizens in this Commonwealth for the benefit of a political party or persons or attorneys, bond counsel or employees. I think it is morally wrong. It is reprehensible to think that we, together, cannot vote to confirm, not in a sense of condoning what the Governor wants, but we must reinstitute and initiate and intensify the economic development of this Commonwealth and there is no greater way to do it than by confirming this gentleman who is qualified beyond doubt. Therefore, I suggest, Mr. President, that today we no longer penalize the people of this Commonwealth and successive generations. We have had the demise of basic industries in steel, coal, and all the other industries from the railroad on down. There would be no greater impetus to the economy of Pennsylvania. I do not think we should wait any longer. It is going to be off my political conscience. I hope it is off all the political consciences. The original bill for the creation of the Turnpike Commission passed by thirty-seven affirmative votes. I would hope we would have unanimous votes for the confirmation of this gentleman who is qualified. This will be the means. Even though it is wrongfully done by the Governor, we should not condone and concur in his wrongfulness. It is not giving in to the Governor, but it is doing what is right. Mr. President, I urge an affirmative vote.

Senator STAUFFER. Mr. President, I appreciate the affirmative remarks of the gentleman from Westmoreland with regard to the nominee before us at this time.

I think in referring back to the origination of the Turnpike Commission I can expand on that to some degree and point out that our predecessors who established the Turnpike Commission did not believe a partisan balance on that commission was of paramount consideration because in establishing the Turnpike Commission they set up a complement of an odd number. Obviously, it was recognized by those who drafted that legislation that an even split on the membership of the Turnpike Commission was a formula for deadlock, not a formula for compromise, and that the only way to move forward and to effect compromise and accomplish the good things that were to be accomplished through that legislation was through the process of compromise and people working together to accomplish those goals.

As the gentleman points out, we have a program of huge magnitude before us for consideration which will benefit all of Pennsylvania, and I think it is a key thing to recognize that

the only benefit is not just to those who happen to have the Turnpike run through their districts. We know the Turnpike is the major feeder that feeds the economy of this entire Commonwealth. We also know that an expansion of that Turnpike will provide economic development in many areas where it is unquestionably not happening at the present time. It is a formula for success, and I might say a \$4 billion formula for success.

Mr. President, when we talk about the confirmation process, I think at times we are prone to get this process out of context. I appeal to every Member of this Senate today to recognize what this process is and to cast your votes purely on the basis of the process as it is established and that process is, is the nominee qualified? It is not a question of what are the politics of the issue or who is going to control this, that, or the other thing. We can talk about those issues, but the vote we are going to take today is a vote that recognizes one factor alone: Is Robert Wilburn qualified to sit as a member of the Pennsylvania Turnpike Commission?

Interestingly enough, Mr. President, universally the answer to that question has been yes. Not only has it been yes, but yes without qualification. For example, I have before me an editorial that was run by KDKA-TV 2 in Pittsburgh. Let me quote from that when it says:

“Wilburn has impressive—no impeccable—credentials.

“Wilburn is eminently qualified. There’s no possible reason for the Democrats to reject him—other than politics.”

Mr. President, not one negative word has been spoken with regard to the nominee. In fact, everyone I have spoken to, in and out of politics, in and out of the Senate, of every political persuasion, has indicated that this is an outstanding individual. Not only is he an outstanding individual, but he brings to this position some very special qualifications that would enable him to manage a \$4 billion program to achieve the kinds of results we all desire. I know we want this program to move forward because there is hardly a Member of this Senate who, in one form or another, has not expressed to me the belief, the wish and the desire that we get on with this program and accomplish what we were sent here to accomplish, to do what is good and what is right for the Commonwealth of Pennsylvania.

Mr. President, in many areas of this Commonwealth we have desperation. We have an economy that is flat in many areas, and we know this project, this Turnpike expansion, can be the catalyst to thousands of jobs, to an economic rebirth in many parts of this Commonwealth that can hardly happen otherwise. Quite frankly, I think it is almost criminal if we do not take that simple step and confirm this man and move this project forward.

With regard to the debate on nominations, Mr. President, I would point out that at the present time we have four sitting members on the Turnpike Commission. As we know, one of those members sits by virtue of his position as Secretary of Transportation. The other three were nominated in precisely the same process as this nominee appears before us today, and this Senate confirmed those other three nominees. When two

Democrats, Commissioner Camiel and Commissioner Dodaro, were confirmed to those positions, they were confirmed with Republican votes as well as Democratic votes. The same thing holds true with the confirmation of Mr. Ursomarso who was also confirmed with Democratic and Republican votes. Why, Mr. President, should there be any difference today when the particular nominee is one who is so eminently qualified?

Mr. President, laying aside that broad philosophic issue, let us talk about some of the other issues that come into play—the projects themselves. Mr. President, when we debated this nominee a couple of weeks ago, I assured the Members of this Senate that we on the Republican side of the aisle and the Thornburgh Administration were committed to carrying out the Toll Roads Task Force report and carrying it out in its entirety.

POINT OF ORDER

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

The PRESIDENT. The gentleman from Allegheny, Senator Zemprelli, will state it.

Senator ZEMPRELLI. Mr. President, is it germane to be speaking in terms of other legislation on the nomination of Dr. Wilburn?

The PRESIDENT. The Chair finds that the gentleman’s remarks are in order. He is discussing, in the opinion of the Chair, the qualifications of the nominee.

Senator ZEMPRELLI. Mr. President, I am sorry. It must be my microphone that is telling me the message was in relation to legislation and not the nominee. If it is with respect to the nominee, of course, I can agree with the Chair. Is it the Chair’s ruling and prospective ruling that they are tied together, or is it the Chair’s ruling that if this is related to specific legislation it would not be in order?

The PRESIDENT. It is not the opinion of the Chair that the gentleman is debating legislation, that he is debating the nomination. That does not mean he is not allowed to refer to it, but it is the opinion of the Chair that his debate is not on the subject of the legislation.

Senator STAUFFER. Mr. President, as I had indicated, we are committed to the implementation of the total Toll Roads Task Force proposal and report. Bob Wilburn is committed to the implementation of that report. I assure every Member of this Senate that whether it is Route 219 or the Mon Valley Expressway or the Beaver Valley Expressway or any other portion of that proposal, there is a total commitment that those pieces will move forward, that they will move forward in a timely fashion and that the benefits of that forward movement to this Commonwealth will be realized, so there is no reason this nominee should be rejected because we are only going to do part of the program and not do part of the program. We are committed to a total commitment to that program.

Mr. President, at various times the issue of patronage has come up. I would like to assure every Member of this Senate that we on the Republican side of the aisle as well as the

Thornburgh Administration recognize that Democrats should work in positions on the Turnpike as well as Republicans should have jobs working on the Turnpike. We have no hang-ups with regard to the issue of patronage. There has been a history of bipartisanship on the Pennsylvania Turnpike with regard to jobs, with regard to contracts, with regard to legal representation in effecting those contracts, and we are committed to maintaining what has been an historic policy. Mr. President, I do not know how much plainer I can make that point today. We want to work with our colleagues on the other side of the aisle towards the achievement of a breakthrough in this Commonwealth that can represent an economic growth unheard of in the past.

Mr. President, there is no sense to belabor the issue. I appeal to everyone to recognize the nominee for what he is, a top-drawer, a top quality individual with the skill, the experience, the political neutrality to do a great job in this Turnpike Commission. I point out and recognize that we are committed to a total bipartisan approach to accomplishing that program, and I would ask for a positive vote on the nomination of Dr. Robert Wilburn.

Senator ZEMPRELLI. Mr. President, I had not intended to address this subject. I learned earlier from my colleague and contemporary who is no longer with us, Senator Hager, that when you have the horses, you do not really need to say too much. However, there is a danger in allowing statements to be made that are not contested. There is an axiom in the law that says a statement made that is uncontroverted has the presumption of being accurate, and in my beginning I would say some of the things that have been said have, in fact, been accurate, and others have not been. Let me allay some of the apprehensions the Majority has. This might come as a surprise, and there will be some rhetorical answers because they are in order.

First of all, we no longer concern ourselves about patronage. That might come as a surprise simply because we learned recently by a report that appeared in the paper that we were not getting the patronage anyway that we thought we were getting. Let me put aside one other factor, and that is you raise a high banner for Dr. Wilburn. I would suspect and agree with you 100 percent in all of the deliberations, checking upon the character and knowing Dr. Wilburn, that he is a very highly qualified person. It is really not his qualifications that concern us as a party, it is, however, his policy and his politics, and that has been the history of Dr. Wilburn in everything he has done. I believe you could not qualify a person, you could not suggest a person any more qualified than Dr. Wilburn for almost any office in government, whether it would be budget or any other administrative capacity. Our problem is, one, and I repeat, one of policy and politics, because it is sometimes not what is said, but what is not said, wherein you come to conclusions and, perhaps, maybe this is where the credibility has been destroyed in this process. Why are we concerned about Dr. Wilburn's policy? Because we have to ask the question rhetorically, why is it necessary for Dr. Wilburn to be the nominee? After all, three of the present

nominees have been nominated by the Governor and confirmed by this Senate, and if this is to be an independent agency, what more is needed? So, you are entitled to an answer as to why we concern ourselves about Dr. Wilburn's policy. I would suspect, and I understand from sources that have not been confirmed, that Dr. Wilburn is a reluctant nominee, that he really does not want to be the Turnpike Commissioner. He has not told that to me, but he has told that to others in whom I have great trust. I do get concerned and others of my caucus are concerned when Mr. Ursomarso, whom I do not know, was nominated to the commission and did not take that position for eight months. I do get concerned when that same Mr. Ursomarso at a meeting of the Turnpike Commission made a motion to pay off the bond issue, and I think it was a clear interpretation of the dialogue that took place at that meeting that the next motion would be to abandon the Turnpike Commission. Those from the outside world, whose ears brought to task in talking to us on the various issues that are important to them in the economic world, would suggest there is this suspicion the revenue impact of the Turnpike Commission is such that it would be in order for this Administration to want to abandon the Turnpike Commission, and that is done by paying off the present bond issue. Mr. President, that is a serious concern to the Members of this Body who feel that the Turnpike Commission has been doing an excellent job, that there is rapport, and that even though, fundamentally, government is set up on a democratic process so it allows for a majority, the functioning aspect of this Turnpike Commission with us not getting the patronage is at least better than it would be if, in fact, a fifth member was appointed.

Mr. President, the reason why I am more concerned about addressing this subject matter than for any other reason, and almost signally having met somewhat of a preamble to this discussion, is to determine who is the ogre in this entire plot and play. Why does it appear as though our failure to approve Dr. Wilburn makes us the bad people? Is it not a simple matter of you bringing out House Bill No. 1 or Senate Bill No. 124 and passing it for all the economic development that it would give to this state? Again, I agree with you that that is at the nucleus of everything that is good. Who places the obstruction of the nominee of a fifth member to the Turnpike Commission as a condition precedent to moving forward with the construction of \$4 billion more of roads in this Commonwealth? This Democratic caucus? Absolutely not. That front office in its arrogance to insist upon this issue being resolved for the fifth member, and the question recurs again, why? Why victimize the guy of the quality of Dr. Wilburn in order to bring about the capture of the Turnpike Commission? Is that not what it is all about? If that is what it is all about, what about the legality of holding forth a carrot in the form of Dr. Wilburn as a condition to the passage of a bill or, at least, the Governor signing the approval of that bill? It has never been raised before, and again I ask the question rhetorically.

Mr. President, it is unfortunate and it is arrogant to bring the parade forward of Dr. Wilburn again because he is a

good, decent, well-educated and qualified person. Why would you do this to this man knowing that he does not have the votes? What can your possible objective be to parade him out and have this Senate shoot him down? Why would you want there to be a permanent record of showing that some governmental Body has rejected a gentleman that the pure purpose of which will never be understood? Again, rhetorically, would you want that to happen to you? Would any Member of this Body want to be rejected as a member of any commission or body believing that some day somebody would misunderstand the reason for that rejection? Therefore, I want it clear and understood, and put aside any apprehension of the reason why we are doing what we are doing. Dr. Wilburn, you are an "A" quality guy in my book, the problem is the policy and the politics and the suspect of what really is the full, complete, true meaning of your being a nominee to the Turnpike Commission.

For all of those reasons, Mr. President, it is in order for us now not to approve Dr. Wilburn as that nominee.

Senator BELL. Mr. President, as I listened, too much emphasis has been placed in this debate on who gets what patronage. Frankly, I do not know how much patronage there will be with a \$5 billion construction contract. The contracts are going to be awarded by competitive bid. If somebody messes around with them, they are going to have a visit from the United States Attorney, and none of us want that, even for our enemies.

Secondly, patronage on inspectors of the construction? There is nobody in that Turnpike Commission today who is competent to inspect that type of construction. What happens then? Consultants who are qualified are hired, again by competitive bid. If they are not, there is always a grand jury hanging out there. Why am I strong to build this Turnpike? It does not hit my district. On last night's news they told the story of the Maryland Transportation Department wanting to build a washed-out segment of a railroad between York and Baltimore so that products from central Pennsylvania can flow down that railroad and be shipped from the Port of Baltimore. I am concerned with the Port of Philadelphia, which is actually a misnomer in that it includes all the ports of the Delaware River, because with this Turnpike, which will benefit western Pennsylvania, it will create an artery by which products will move to the east and over the wharves in Philadelphia. Why am I concerned with South Philadelphia? It is not my district. It is because my people work there, and it is because the ships that will be moving this cargo are repaired in Chester. I am not part of the power structure around here as everybody knows. Very frankly, Mr. President, this Senate is a hot bed of politics and nobody kids anybody around here. I smell traps everywhere I walk. I always give the credit to the other party for being, at least, smarter than I am. I know how to get House Bill No. 1 on the floor of this Senate and you do, too. The House leadership, with whom the Democratic leadership has very close contacts, can take a little turkey over there, gut it, send it back for concurrence, and you do not have to worry about getting a bill out of committee. I do not

know why or what the game plan is because I am not in the leadership of either side, but I do not know why the Democrats do not move that way, then it is put on the desk of the Governor. Before I am ruled out of order, I am in favor of the present nominee. I am in favor of anything to get this construction job started.

Senator ZEMPRELLI. Mr. President, for fear that the gentleman may feel in the future that he was the author of that suggestion, I feel it is important for me to tell him that his thought is on its way. We were surprised that it has not arrived for his consideration at this time. We appreciate the fact that he would suggest the means for us to attack this problem, but it is something that has not escaped us and that is the only reason for this remark.

Senator STAUFFER. Mr. President, although the Minority Leader indicated that some of the questions he was asking were rhetorical, I want to respond to a few of them. Is Bob Wilburn a reluctant candidate? I can tell the gentleman, Mr. President, the answer to that is an unqualified no. He is not a reluctant candidate. Bob Wilburn is ready, willing and able, and prepared to assume this position and move this program forward. I have spoken to him personally in that regard, and there is no question that he is willing and anxious to move forward with this position.

The gentleman says, why Wilburn? I thought, Mr. President, it was very interesting that he raised the question, why did you nominate Bob Wilburn after he had agreed he was highly qualified and that he was a top-drawer person? Because, Mr. President, that is the very reason the Governor nominated this man. In his search to find someone who could meet the test of this Senate for qualification, he was able to come up with a person who the Minority Leader could stand up and indicate is of the finest quality and, yet, for some reason, says he is going to vote against him. Mr. President, why would you defeat a person whom you agree is so highly qualified when in the final analysis that is the entire issue before us, the qualifications of the nominee?

Mr. President, the gentleman also speaks about the abandonment of the Turnpike Commission. There is no intention to do away with the Turnpike Commission. With regard to Mr. Ursomarso's words before the commission, I think the gentleman can recognize in times of frustration that many times extreme statements can be made, but in no way was he expressing the sentiment or the policy of either this Administration or Bob Wilburn. Mr. President, today we are not voting on the confirmation of Frank Ursomarso, we are voting on the confirmation of Robert Wilburn. He is qualified, he will do a great job, he will get this program moving, and we can all revel in the benefits it will bring. Let us have a vote, and let us all vote in the affirmative.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEAS—28

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

NAYS—20

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

Less than a constitutional two-thirds majority having voted "aye," the question was determined in the negative.

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.

RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for purposes of, first, a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Appropriations in, I believe, Room 461. The meeting of the Committee on Appropriations will be followed by a Republican caucus, with the expectation that we will return to the floor at 3:30 p.m.

Senator ZEMPRELLI. Mr. President, I would ask the Democratic caucus to assemble immediately after the completion of the meeting of the Committee on Appropriations. Therefore, I would believe it would be in order for us to meet at 2:30 p.m.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations at the rear of the Chamber, to be followed by a meeting of the Committee on Appropriations in Room 461, to be followed by Republican and Democratic caucuses, the Chair declares the Senate in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I would ask for legislative leaves for Senator Rhoades, Senator Fisher and Senator Brightbill who have gone to the nuclear waste conference in South Carolina.

The PRESIDENT. Are there objections to legislative leaves for Senator Rhoades, Senator Fisher and Senator Brightbill? The Chair hears none. Those leaves are granted.

Senator SCANLON. Mr. President, we request legislative leave for Senator Mellow for the remainder of today's Session.

The PRESIDENT. Is there an objection to a legislative leave for Senator Mellow? Hearing none, that leave is granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 33 (Pr. No. 1252) — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further providing for the sale of land to a volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the township.

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 FUMO. Mr. President, we request a temporary Capitol leave for Senator Lincoln.

The PRESIDENT. Is there an objection to a temporary Capitol leave for Senator Lincoln? The Chair hears none. That leave is granted.

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—48

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

NAYS—0

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

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

PARLIAMENTARY INQUIRY

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

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

Senator KELLEY. Mr. President, upon arriving on the floor to vote for the vote announced on House Bill No. 33 at approximately 5:27 p.m., I noticed Supplemental Calendar No. 1, referring to House Bill No. 136, which was earlier today reported to the floor from the Committee on Finance which was referred to the Committee on Finance yesterday, and at today's meeting the Committee on Finance inserted a seventeen page amendment, I am told. Is it the intention we consider House Bill No. 136, Printer's No. 1625, today on second consideration? Is it not permissible to allow the Members to adequately study the bill in its present form to prepare potential and possible amendments? Since we just received it and it is now 5:33 p.m., it seems to me, Mr. President, that there might be a point of parliamentary inquiry that could be explained here, more of a point of information. Could the Chair address that to the Majority Leader, in a sense that the Majority Leader could respond in a sense of fairness and equity and responsibility?

The PRESIDENT. In response to the gentleman's inquiry, it is not the Chair's place to say what the intention of the Senate is with regard to considering any piece of legislation. However, it would not be improper under the Rules of the Senate to consider the Supplemental Calendar to which the gentleman refers in today's Session if that is the desire of the Members.

Senator KELLEY. I see, Mr. President. I thank you very much.

THIRD CONSIDERATION CALENDAR RESUMED

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 34 (Pr. No. 1253) — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the sale of land to a volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the township.

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—48

Andrezeski	Hess	Mellow	Scanlon
Armstrong	Holl	Moore	Shaffer
Bell	Hopper	Musto	Shumaker
Bodack	Howard	O'Pake	Singel
Brightbill	Jones	Pecora	Stapleton
Corman	Jubelirer	Peterson	Stauffer

Early	Kelley	Reibman	Stout
Fisher	Kratzer	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli

NAYS—0

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

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

HB 126 (Pr. No. 1254) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the sale of land to a volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the borough.

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—48

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 422 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 687 (Pr. No. 782) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," providing for the appointment of independent auditors in lieu of elected auditors.

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—48

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

NAYS—0

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

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 303 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL REREFERRED

SB 335 (Pr. No. 363) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), entitled, as amended, "Parking Authority Law," empowering the authority to auction abandoned vehicles; and making a repeal.

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

BILL LAID ON THE TABLE

SB 622 (Pr. No. 935) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, adding provisions relating to certain charitable trusts.

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

BILL ON SECOND CONSIDERATION

HB 694 (Pr. No. 792) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 27, 1925 (P. L. 319, No. 180), entitled "An act relating to the destruction of cancelled or unused bonds or other evidences of indebtedness of this Commonwealth," further providing for the destruction of canceled bonds or other evidences of indebtedness.

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

BILLS OVER IN ORDER

SB 703, 704, 706, 707 and 709 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION AMENDED

SB 806 (Pr. No. 929) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 22, 1978 (P. L. 1160, No. 273), entitled "Historic Preservation Act," imposing restrictions on the commission with respect to the refusal to accept certain gifts, devises or bequests.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1 (Sec. 5), page 2, line 3, by inserting after "bequest": of real property

Amend Sec. 1 (Sec. 5), page 2, line 3, by striking out "except by proposed regulation" and inserting: after the date of this amendatory act except in accord with procedures and pursuant to criteria established by regulation

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILLS OVER IN ORDER

SB 826 and 830 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

SUPPLEMENTAL CALENDAR NO. 1

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

HB 136 (Pr. No. 1625) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," shifting the burden of proof from vendors to the Department of Revenue on questions concerning the utilization of exemption certificates; eliminating the split second quarter for filing of sales tax returns; reducing the personal income tax rate; permitting the equitable adjustment of taxes and penalties; revising the provisions relating to net loss carryover; adding a definition of "taxable year"; pro-

viding a processing exemption for computer softwear from the capital stock and franchise tax; providing an investment credit; eliminating tentative payments for corporate net income taxes and requiring the prepayment of estimated taxes; reducing tentative tax payments for the capital stock and franchise tax; providing an unemployment compensation interest fund tax; changing the time period within which petitions for refunds may be filed; and making repeals.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator KELLEY. I object to the bill being considered, Mr. President.

MOTION FOR BILL OVER IN ORDER

Senator KELLEY. Mr. President, I move that House Bill No. 136 go over in order, and I would like to speak on the motion.

The PRESIDENT. Senator Kelley moves that House Bill No. 136 go over in its order.

On the question,

Will the Senate agree to the motion?

Senator KELLEY. Mr. President, we have before us House Bill No. 136 which is a tax reform bill, and I believe it is now before us for second consideration. It was considered on the first day on the Calendar. As I understand it, yesterday was the first day it was on the Calendar and it was referred to the Committee on Finance which, this morning, amended it by a seventeen page amendment. It is now before us on a Supplemental Calendar and, I believe, Mr. President, it is absolutely imperative for each Member, at least, to have the opportunity to consider this bill while it is on second consideration when each Member has the right to offer amendments. I believe it is imperative that we have the opportunity, first, to read and digest the bill in order to see and examine if we agree or not with the substance and, if not, to offer any perfecting or improving amendments that any individual Senator believes should be offered that could improve the bill.

The most important aspect of government is raising revenues, and that is what this bill directs itself to, Mr. President. I think it would be inordinate, inconsiderate and irresponsible to consider this bill. I, therefore, would ask each Member to say that we should go over the bill so we will, at least, have twenty-four hours knowing we have that right, and any amendments could be offered and prepared for tomorrow. The third consideration would not even be possible if you would want to have it on a Supplemental Calendar, but I believe because we are moving from second to third consideration, if we would consider it, it would be a very severe detriment to the process, integrity and responsibility we each have and we have as a Body. I would urge an affirmative vote in going over the bill.

Senator STAUFFER. Mr. President, I agree with the gentleman. It would be irresponsible for the bill to go over in its order, and I would ask for a "no" vote on the motion.

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

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

YEAS—22

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

NAYS—26

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

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 second consideration?

Senator KELLEY. Mr. President, would the Majority Leader, the gentleman from Chester, Senator Stauffer, consent to interrogation?

The PRESIDENT. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator KELLEY. Mr. President, it is now approximately 5:45 p.m. Since I am not aware of others except, I believe, the gentleman from Cambria, Senator Singel, and some others possibly who intend to offer some amendments, and I do as well, to this bill being considered, and not having had the opportunity to even read the bill and prepare amendments, I would like the gentleman, Mr. President, to inform us as to whether or not there would be any objection to me or anyone offering an amendment tomorrow on third consideration of House Bill No. 136?

Senator STAUFFER. Mr. President, there is no objection and there will be no objection raised to anyone offering amendments to this legislation on third consideration tomorrow. In fact, I expect that the gentleman will offer an amendment, and it will not be objected to.

Senator KELLEY. Mr. President, may I further inquire of the gentleman whether or not those amendments will be considered by both sides of the aisle with all assurances on this side, of course, but on the other side of the aisle whether or not those amendments will be considered and reflected in their vote on the merits?

Senator STAUFFER. Mr. President, I am certain every Member on this side of the aisle considers his vote on every amendment on merit.

Senator KELLEY. I thank the gentleman, Mr. President. I just wanted to make sure he was consistent.

And the question recurring,
Will the Senate agree to the bill on second consideration?
It was agreed to.

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

HB 207 TAKEN FROM THE TABLE

Senator STAUFFER. Mr. President, I move that House Bill No. 207, Printer's No. 1076, be taken from the table and placed on the Calendar.

The motion was agreed to.

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

SUPPLEMENTAL CALENDAR NO. 2

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION AMENDED

HB 207 (Pr. No. 1076) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 18, 1961 (P.L. 1389, No. 615), referred to as the "County and Municipal State Highway Law," further providing for the Commonwealth's maintenance obligations; providing that the powers of the Pennsylvania Public Utility Commission shall not be affected; and making a repeal.

The bill was considered.

On the question,
Will the Senate agree to the bill on second consideration?

Senator STAUFFER. Mr. President, I offer an amendment to House Bill No. 207.

Senator EARLY. Mr. President, will you be kind enough to wait until we get an opportunity to receive a copy of the bill?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator EARLY. Mr. President, did we, on this side of the aisle, hear that the gentleman from Chester, Senator Stauffer, was going to offer an amendment or am I premature?

The PRESIDENT. The Senator has offered an amendment. The Chair has not yet put the question.

Senator EARLY. Mr. President, before you do, would you be kind enough to give us a copy of the amendment?

The PRESIDENT. The Chair will put the question, and while the question is being put will distribute copies of the amendment. Then, if there is any difficulty, we will be at ease.

Senator ZEMPRELLI. Mr. President, so that we do not have any problem in procedure, would the Chair recognize the Minority Leader after the question has been put on the amendment?

The PRESIDENT. The Chair has no objection to that.

PARLIAMENTARY INQUIRY

Senator SINGEL. Mr. President, I rise to a question of parliamentary inquiry, if I might.

The PRESIDENT. The gentleman from Cambria, Senator Singel, will state it.

Senator SINGEL. Mr. President, I have an amendment to the amendment. The question is, should that amendment be entertained prior to your calling for the vote on the amendment of the gentleman from Chester, Senator Stauffer?

The PRESIDENT. The gentleman's amendment would be properly offered prior to the calling of the roll on Senator Stauffer's amendment. The Chair will put the question.

STAUFFER AMENDMENT

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

Amend Title, page 1, lines 1 through 18, by striking out all of said lines and inserting:

To facilitate vehicular traffic within and 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; providing for membership 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 including the acquisition and other costs of toll-free roads and for refunding purposes; 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 including toll-free roads converted to toll roads; making such turnpike revenue 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.

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- Section 20. Construction of act.
- Section 21. Repeals.
- Section 22. Effective date.

Amend Bill, page 1, lines 21 through 24; pages 2 through 4, lines 1 through 30, by striking out all of said lines on said pages and inserting:

Section 1. Short title.

This act shall be known and may be cited as the Turnpike Organization, Extension, and Toll Road Conversion Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Commission.” The Pennsylvania Turnpike Commission created by the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, or if the commission shall be abolished, any board, commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to the commission shall be given by law.

“Cost of the turnpikes.” Includes the cost of constructing the turnpikes and all connecting roads, storm water management systems, tunnels and bridges; the cost of all lands, property rights, rights-of-way, easements and franchises acquired by purchase or other means, which are deemed necessary or convenient for such construction; the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction; the cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, administrative and legal expense, and such other expenses as may be necessary or incident to the financing herein authorized; the construction of the turnpikes and connecting roads, storm water management systems, tunnels and bridges, the placing of the same in operation, and the condemnation or other means of acquisition of property necessary for the construction and operation. Any obligation or expense contracted for by the commission with the Department of Transportation of this Commonwealth, or with the United States or any agency thereof, for traffic surveys, preparation of plans and specifications, supervision of construction, and other engineering, administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads,

storm water management systems, tunnels and bridges, and any costs of reimbursing the Federal Government pursuant to the mandates of the Federal law for Federal funds expended for interstate or other highways which are to be made part of the turnpike system pursuant to this act, shall be regarded as a part of the cost of the turnpikes and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds, notes or other obligations hereinafter authorized. Payment of any turnpike revenue bonds, notes or other obligations shall be considered payment of the cost of the turnpikes, provided the turnpike revenue bonds, notes or other obligations were issued for such purpose.

“Owner.” An individual, copartnership, association or corporation having any title or interest in any property rights, easements or franchises authorized to be acquired by this act.

“The turnpikes.” The turnpike, turnpike extensions and turnpike improvements to be constructed, and the toll-free roads to be converted to toll roads, as described in section 3 and otherwise provided for in this act. The phrase shall be deemed to include not only the turnpikes and all connecting roads, storm water management systems, tunnels and bridges connected therewith, but also all property rights, easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof, which may also be referred to as constituting a part of the Pennsylvania Turnpike System.

“Toll road conversion.” The inclusion within the turnpike system and the imposition of tolls thereon of a highway that is presently toll free.

Section 3. Authorization for turnpike extensions, turnpike improvements and the conversion of toll-free roads to toll roads.

(a) Improvement and extension authorizations.—In order to facilitate vehicular traffic within and across this Commonwealth, the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, and the supplements and amendments thereto and reorganized by this act, is hereby authorized, empowered and directed to construct, operate and maintain turnpike extensions and turnpike improvements at such specific locations and according to such schedule as shall be deemed feasible and approved by the commission, together with connecting roads, storm water management systems, tunnels and bridges, subject to the waiver of the Federal toll prohibition provisions where applicable, as follows:

(1) Widen turnpike to six lanes between the Northeast Extension and the Delaware River Interchange.

(2) Construct Turnpike Interchange with Interstate Route 95 in Bucks County.

(3) Construct Turnpike Interchange with Interstate Route 476 in Montgomery County.

(4) Construct Turnpike Interchange with Keyser Avenue in Lackawanna County.

(5) Construct extensions to the existing turnpike from a point westerly of existing Interchange 2 extending northerly to a connection with the existing interchange between U.S. Route 422 and proposed State Route 60 in Lawrence County and extending southerly to a connection with existing State Route 60 in Beaver County at or near State Route 51.

(6) Construct an extension to the turnpike from a point at or near Interchange 8 in Westmoreland County extending northerly to an interchange with State Route 66 northwest of Greensburg and continuing northerly to an interchange with U.S. Route 22 south of Delmont.

(7) Construct an additional Lehigh Tunnel on the Northeast Extension of the turnpike.

(8) Immediately enter negotiations with the United States Department of Defense for the construction and operation of a private Turnpike Interchange directly connected to the New Cumberland Army Depot.

(9) Construct from a point at or near Interstate Route 80 Interchange 23 at Milesburg southwesterly generally along U.S. Route 220 to a connection with the existing U.S. Route 220 Expressway south of Bald Eagle.

(10) Construct a four-lane toll highway from a point at or near Cross Keys in Blair County and thence eastward through Blair, Huntingdon and Mifflin Counties and a portion of Juniata County to meet with the existing four-lane portion of Route 22/322 in Juniata County.

(b) Subsequent extension authorization.—Upon substantial completion of the turnpike extension and improvements set forth in subsection (a), the commission is hereby authorized and empowered to construct, operate and maintain further extensions and improvements of the turnpike at such specific locations and according to such schedules as shall be deemed feasible and which shall be approved by the commission, subject to the waiver of the Federal toll prohibition provisions where applicable, as follows:

(1) From an interchange with Interstate Route 70 between existing interchanges at Lover and Speers extending northerly to an interchange with Interstate Route 376 in Pittsburgh and also extending southerly connecting with the existing interchange between U.S. Route 40 and the Mon Valley Expressway (L.R.1125).

(2) From an interchange with the turnpike at or near Interchange 10 extending northerly generally following and coincident where feasible with existing U.S. Route 219 to an interchange with Interstate Route 80 at or near Interchange 16.

(3) Construction of an interchange for access to the International Distribution Center at Wilkes-Barre Scranton International Airport in Luzerne County on the Northeastern Extension of the Pennsylvania Turnpike System.

(c) Additional subsequent extension authorization.—Upon completion of the turnpike extensions and improvements set forth in subsections (a) and (b), the commission is hereby authorized and empowered to construct, operate and maintain further extensions of the turnpike at such specific locations and according to such schedules as shall be deemed feasible and which shall be approved by the commission, subject to the waiver of the Federal toll prohibition provisions where applicable, as follows:

(1) From a point at or near the existing interchange between U.S. Route 40 and the Mon Valley Expressway (L.R.1125) in Fayette County southeasterly along U.S. Route 40 to Uniontown and continuing southerly along State Route 857 to the West Virginia border.

(2) From a point at or near Turnpike Interchange 10 southerly generally along U.S. Route 219 to the Maryland border.

(3) From a point at or near Interstate Route 80 Interchange 16 northerly generally along U.S. Route 219 to a connection with the existing U.S. Route 219 Expressway south of Bradford in McKean County.

(d) Further subsequent authorizations.—Upon completion of the turnpike extensions and improvements set forth in subsections (a), (b) and (c), the commission is hereby authorized and empowered to construct, operate and maintain further extensions and improvements of the turnpike at such specific locations and according to such schedules as shall be deemed feasible and which shall be approved by the commission, subject to the waiver of the Federal toll prohibition provisions where applicable, as follows:

(1) From a point at or near the intersection of State Route 65 and Crows Run Road in Beaver County, in a south-

easterly direction to a point at or near the Perry Highway Interchange of the Pennsylvania Turnpike.

(2) From a point at or near Exit 5 of the turnpike northerly to Brookville, Jefferson County, to a point at the intersection with Interstate Route 80.

(3) From a point at or near the Pennsylvania Turnpike System into various areas of Berks County in order to complete the construction of the inner loop system and outer loop system of highways surrounding the City of Reading and to complete the missing links on Routes 222 to 422 to I035.

(4) From a point at or near the intersections of Interstate Route 70, Interstate Route 76 and T.R. 119 in the Borough of Youngwood, Westmoreland County in a northerly direction along T.R. 119 and T.R. 66 to the intersection of T.R. 22 with a bypass around the City of Greensburg, Westmoreland County; thence north on T.R. 66 to T.R. 356; thence north on T.R. 356 to the intersection with T.R. 28.

(5) From a point at or near the intersection of T.R. 66 and T.R. 22 in Salem Township, Westmoreland County; thence in a westerly direction paralleling T.R. 22 to Exit 6 of Interstate 76.

(6) Relocate Turnpike Interchange at Morgantown and construct access road from relocated interchange to Interstate Route 176 in Berks County.

(e) Conversion to toll roads.—In order to facilitate vehicular traffic within and across the Commonwealth, and after completion of the turnpike extensions and improvements authorized in subsection (a), and subject to prior Legislative approval by the General Assembly and the United States Congress, the Pennsylvania Turnpike Commission is hereby authorized and empowered to convert to toll roads such portions of Pennsylvania's interstate highway system as may be required in order to facilitate the completion of the turnpike extensions and improvements authorized in subsections (b), (c) and (d), and to operate and maintain such converted interstates as toll roads upon the approval by the Congress of the United States of America and the General Assembly of this Commonwealth of legislation expressly permitting the conversion of such interstates to toll roads. Such conversions shall take place at a time and manner set forth in the plan for the conversion prepared by the Pennsylvania Department of Transportation. The provisions authorizing the commission to construct, operate and maintain the turnpike routes in subsections (b), (c) and (d) shall be subject to:

(1) the prior passage by the Congress of the United States and the General Assembly of this Commonwealth of legislation permitting the conversion of certain interstates to toll roads; or

(2) the availability of such other funds as might become available in amounts that would be sufficient to fund to completion any of the individual turnpike extensions and improvements set forth in subsections (b), (c) and (d) so long as no turnpike extension or improvement authorized by subsection (d) is undertaken until after all the turnpike extensions authorized by subsection (c) are completed, and no turnpike extension authorized by subsection (c) is undertaken until after all the turnpike extensions and improvements authorized by subsection (b) are completed. The commission is authorized to use Federal funds which may be available for toll roads only pursuant to the approval of the Secretary of Transportation and only pursuant to the authority granted in section 19.

(f) Turnpike system.—The turnpikes and the future toll road conversions authorized by this act are hereby or shall be made part of the Pennsylvania Turnpike System, as provided in the act of August 14, 1951 (P.L.1232, No.282), referred to as the Pennsylvania Turnpike System Financing Act.

Section 4. Status of turnpike revenue bonds, notes or other obligations.

The turnpike revenue bonds, notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth, but such bonds, notes or other obligations shall be payable solely from the revenues of the commission, including tolls, or from such funds as may be available to the commission for that purpose. All such bonds, notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the commission, including tolls, or from such funds as may be available to the commission for that purpose, and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds, notes or other obligations. The issuance of turnpike revenue bonds, notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Section 5. Pennsylvania Turnpike Commission membership, term of office.

Notwithstanding any other law to the contrary, members of the commission hereafter appointed by the Governor, except for the Secretary of Transportation who shall serve as a member ex officio, shall take office upon the consent of a majority of members elected to the Senate, and shall serve for a term of four years. Upon the expiration of his term, an appointed member may continue to hold office for 90 days, or until his successor shall be duly appointed and qualified, whichever period is shorter, but shall not continue to hold office thereafter. A majority of the members of the commission serving in accordance with law shall constitute a quorum and such majority, acting unanimously, shall be required for any action. No vacancy in the commission shall impair the right of a quorum of the members to exercise all the rights and perform all the duties of the commission.

Section 6. Exercise of commission powers deemed essential government function.

The exercise by the commission of the powers conferred by this act in the construction, operation and maintenance of the turnpikes and in effecting toll road conversions shall be deemed and held to be an essential governmental function of the Commonwealth.

Section 7. Commission powers and duties enumerated; payment of maintenance.

(a) Powers and duties of commission.—The commission is authorized to:

- (1) Maintain a principal office at such place as shall be designated by the commission.
- (2) Contract and be contracted within its own name.
- (3) Sue and be sued in its own name, plead and beimpleaded. Any and all actions at law or in equity against the commission shall be brought only in the courts in which such actions may be brought against the Commonwealth.
- (4) Have an official seal.
- (5) Make necessary rules and regulations for its own government.
- (6) Acquire, hold, accept, own, use, hire, lease, exchange, operate and dispose of, personal property, real property and interests in real property, and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ engineering, traffic, architectural and construction experts and inspectors, attorneys, and other employees as may in its judgment be necessary, and fix their compensation.
- (7) Provide grade separations, at its own expense, with respect to all public roads, State highways and interstate highways intersected by the turnpikes and to change and adjust the

lines and grades thereof so as to accommodate the same to the design for such grade separation. The damages incurred in changing and adjusting the lines and grades of public roads, State highways and interstate highways shall be ascertained and paid by the commission in accordance with the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code. If the commission shall find it necessary to provide a grade separation or change the site of any portion of any interstate highway, State highway or public road, or vacate the same, it shall cause it to be reconstructed and restored forthwith, at the commission's own proper expense, on the most favorable location and in as satisfactory a manner as the original road, or vacate it, as the case may be. The method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road, State highway or interstate highway shall be ascertained and paid for in accordance with the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code.

(8) Petition the court of common pleas of the county wherein is situate any public road or part thereof affected by the location therein of the turnpikes, for the vacation, relocation or supply of the same, or any part thereof, with the same force and effect as is now given by existing laws to the inhabitants of any township or such county, and the proceedings upon such petition, whether it be for the appointment of viewers or otherwise, shall be the same as provided by existing law for similar proceedings upon the petitions.

(9) Have all of the powers and perform all the duties prescribed by the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act.

(b) Maintenance to be paid out of tolls.—The turnpike extensions and improvements and the conversion of toll-free roads to toll roads when completed and open to traffic shall be maintained and repaired by and under the control of the commission. All charges and costs for the maintenance and repairs actually expended by the commission shall be paid out of tolls. The turnpike, the turnpike extensions and improvements and the toll-free roads converted to toll roads shall also be policed and operated by a force of police, toll takers and other operating employees as the commission may, in its discretion, employ.

Section 8. Expenses and bonding of commission members.

(a) Payment of expenses.—All compensation and salaries and all expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act.

(b) No additional bond required.—The issuance of any turnpike revenue bonds, notes or other obligations under the provisions of this act shall not cause any member of the commission to be required to execute a bond that a member of the commission is not otherwise required to execute.

Section 9. Acquisition of property rights by commission.

(a) Condemnation.—The commission is hereby authorized and empowered to condemn, pursuant to the provisions of the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code, any lands, interests in lands, property rights, rights-of-way, franchises, easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpikes and the toll road conversions or necessary in the restoration or relocation of public or private property damaged or destroyed.

(b) Purchase.—The commission is hereby authorized and empowered to acquire by purchase, whenever it shall deem such purchase expedient, or otherwise accept if dedicated to it, any lands, interests in lands, property rights, rights-of-way, franchises, easements and other property deemed necessary or conve-

nient for the construction and efficient operation of the turnpikes and toll road conversions or necessary in the restoration of public or private property damaged or destroyed, whether the same had theretofore been condemned or otherwise, upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof, and to take title thereto in the name of the commission. The net proceeds of the purchase price payable to a municipality or the Department of Transportation for any real property or interest therein obtained by the commission pursuant to this act, less the cost of retiring any bonded indebtedness on such property or interest, shall be used exclusively, in the case of a municipality, for road and bridge related expenses and, in the case of the Department of Transportation, for highway and bridge construction, reconstruction and maintenance in the same engineering and maintenance district wherein the subject property is located.

Section 10. Procedural requirements of acquisition.

(a) Title.—Title to any property condemned by the commission shall be taken in the name of the commission.

(b) Entry.—In addition to the foregoing powers, the commission and its authorized agents and employees may enter upon any lands, waters and premises in this Commonwealth for the purpose of making surveys, soundings, drillings and examinations, as it may deem necessary or convenient for the purpose of this act, and the entry shall not be deemed a trespass, nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending. The commission shall make reimbursement for any actual damages resulting to the lands, waters and premises as a result of the activities.

(c) Restoration of property.—All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the authority of this act.

(d) Powers of public bodies.—All political subdivisions and all public agencies and commissions of the Commonwealth, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, dedicate, grant, convey or otherwise transfer to the commission, upon its request, upon such terms and conditions as the proper authorities of such political subdivisions or public agencies and commissions of the Commonwealth may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission, including public roads and other real property already devoted to public use.

Section 11. Entry and possession of property condemned.

Whenever the commission has condemned any lands, rights, rights-of-way, easements and franchises, or interests therein, as provided in this act, the commission may proceed to obtain possession in the manner provided by the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code.

Section 12. Issuance of turnpike revenue bonds, notes or other obligations.

(a) Issuance of bonds.—The commission is hereby authorized to provide, by resolution, at one time or from time to time, for the issuance of turnpike revenue bonds, notes or other obligations of the commission for the purpose of paying the cost of the turnpikes, as defined in section 2, including the reconstruction of the converted roads as provided for in this act and the repayment to the Federal Treasury of any funds so required to be repaid pursuant to any special legislation passed by the Congress of the United States authorizing the conversion of toll-free roads to toll roads. The principal and interest of the bonds, notes or other obligations shall be payable solely from revenues of the commission, including tolls collected on the various turnpike extensions,

improvements and toll road conversions authorized by this act and those tolls collected on the Pennsylvania Turnpike System, subject to the terms of any trust indenture heretofore entered into by the commission and any existing bond resolution of the commission or from such funds as may be available to the commission for that purpose. The bonds, notes or other obligations shall be dated, shall bear interest at such rate or rates acceptable to the commission, shall mature at such time or times not exceeding 40 years from their date or dates, as may be determined by the commission, and may be made redeemable before maturity, at the option of the commission, at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds, notes or other obligations. The principal and interest of such bonds, notes or other obligations may be made payable in any lawful medium. The commission shall determine the form of bonds, notes or other obligations, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds, notes or other obligations, and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the Commonwealth. The bonds, notes or other obligations shall be approved by and shall bear the facsimile signatures of the Governor and of the chairman of the commission, and the facsimile of the official seal of the commission shall be affixed thereto, and attested by the secretary and treasurer of the commission, and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds, notes or other obligations or coupons shall cease to be such officer before the delivery of such bonds, notes or other obligations, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery.

(b) Form of bonds.—The bonds, notes or other obligations authorized herein may be issued in bearer or registered form, with or without coupons attached as the commission may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and registered and coupon bonds, notes or other obligations may be made interchangeable. The commission may sell such bonds, notes or other obligations in such manner and for such price as it may determine to be for the best interest of the Commonwealth.

(c) Use of bond proceeds.—The proceeds of such bonds, notes or other obligations shall be used for the payment of the cost of the turnpikes and the toll road conversions, including the reconstruction of the converted roads as provided for in this act and the repayment to the Federal Treasury of any funds so required to be repaid pursuant to any special legislation passed by the Congress of the United States authorizing the conversion of toll-free roads to toll roads, and shall be disbursed upon requisition of the chairman of the commission under such restrictions, if any, as the resolution authorizing the issuance of the bonds, notes or other obligations, or any trust indenture or other agreement entered into by the commission, may provide. If the proceeds of the bonds, notes or other obligations shall exceed the cost of the turnpikes and the toll road conversions, including the reconstruction of the converted roads as provided for in this act and the repayment to the Federal Treasury of any funds so required to be repaid pursuant to any special legislation passed by the Congress of the United States authorizing the conversion of toll-free roads to toll roads, such excess proceeds shall be set aside and applied to the payment of the principal and the interest of such bonds, notes or other obligations as are issued pursuant to this act. Prior to the preparation of definitive bonds, notes or other obligations, the commission may, under like restrictions, issue temporary bonds, notes or other obligations with or without coupons, exchangeable for definitive bonds, notes or other obligations

upon the issuance of the latter. The commission may also provide for the replacement of any bond, note or other obligation which shall become mutilated or be destroyed or lost. Such turnpike revenue bonds, notes or other obligations may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this act.

(d) Power to borrow.—The commission is hereby authorized to borrow money from time to time to provide for preliminary or interim financing, up to, but not exceeding, the estimated total cost of the turnpikes and the toll road conversions, including the reconstruction of said converted roads as provided for in this act and the repayment to the Federal Treasury of any funds so required to be repaid pursuant to any special legislation passed by the Congress of the United States authorizing the conversion of toll-free roads to toll roads, and to evidence such borrowing by the issuance of turnpike notes or other obligations of the commission and, in its discretion, to pledge as collateral for such notes or other obligations, turnpike revenue bonds, notes or other obligations issued under the provisions of this act, and to renew any such notes or other obligations from time to time, and the payment or retirement of such notes or other obligations shall be considered to be payment of the cost of the projects authorized by this act.

(e) Bonds as securities.—The bonds, notes or other obligations authorized herein are hereby made securities in which all State and municipal officers and administrative departments, boards and commissions of the Commonwealth; all banks, bankers, savings banks, trust companies, saving and loan associations, investment companies and other persons carrying on a banking business; all insurance companies, insurance associations and other persons carrying on an insurance business; and all administrators, executors, guardians, trustees and other fiduciaries; and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth, may properly and legally invest any funds, including capital, belonging to them or within their control, and the bonds, notes or other obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth, for any purpose for which the deposit of bonds, notes or other obligations of the Commonwealth is now or may hereafter be authorized by law.

(f) Negotiable instruments.—All such bonds, notes or other obligations authorized herein shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the laws of this Commonwealth.

Section 13. Obligation proceeds restricted and lien created.

All moneys received from any bonds, notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike, the turnpike extensions and improvements and the toll road conversions, including the reconstruction of said converted roads as provided for in this act and the repayment to the Federal Treasury of any funds so required to be repaid pursuant to any special legislation passed by the Congress of the United States authorizing the conversion of toll-free roads to toll roads or to the appurtenant fund, and there is created and granted a lien upon such moneys, until so applied, in favor of holders of such bonds, notes or other obligations or the trustee hereinafter provided for in respect of such bonds, notes or other obligations.

Section 14. Trust indenture authorized.

(a) Security for bonds.—In the discretion of the commission, such bonds, notes or other obligations may be secured by a trust indenture by and between the commission and a corporate trustee, which may be any trust company or bank having the powers of a trust company, within this Commonwealth. Such

trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the Pennsylvania Turnpike System including the turnpikes and toll road conversions provided for by this act or any part thereof.

(b) Rights of bondholders.—Either the resolution providing for the issuance of such bonds, notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction, maintenance, operation and repair, and insurance of, the turnpikes, and the custody, safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as a depository of the proceeds of bonds, notes or other obligations or revenues, and to furnish such indemnity bonds or to pledge such securities as may be required by the commission. The trust indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds, debentures of corporations, notes or other obligations. In addition to the foregoing, the trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations. All expenses incurred in carrying out the trust indenture may be treated as part of the cost of maintenance, operation and repair of the turnpikes and toll road conversions provided for by this act.

Section 15. Commission and obligations tax exempt.

The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity, in which accomplishment the commission will be performing essential governmental functions, the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act, and the bonds, notes or other obligations issued by the commission, their transfer, and the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation within the Commonwealth.

Section 16. Collection and disposition of tolls and other revenue.

(a) Establishment and changes in toll amounts.—Subject to the terms of any trust indenture entered into by the commission and any resolution authorizing the issuance of any bonds, notes or other obligations of the commission, the commission is hereby authorized to fix, and to revise from time to time, tolls for the use of the Pennsylvania Turnpike System and the different parts or sections thereof, including the turnpike, the turnpike extensions and improvements and the toll road conversions authorized by this act and to charge and collect the same, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels, restaurants and advertising signs, or for any other purpose, except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use. Tolls shall be so fixed and adjusted as to provide funds at least sufficient with other revenues of the Pennsylvania Turnpike System, if any, to pay:

- (1) the cost of constructing, maintaining, repairing and operating the Pennsylvania Turnpike System and the different parts and sections thereof; and

(2) any bonds, notes or other obligations and the interest thereon of the commission, and all sinking fund requirements of the commission, and other requirements provided for by any resolution authorizing the issuance of the bonds, notes or other obligations by the commission, or by any trust indenture to which the commission is a party, as the same shall become due.

(b) Restrictions on toll revenue.—Tolls shall not be subject to supervision or regulation by any other State commission, board, bureau or agency. Subject to the terms of any presently existing trust indenture entered into by the commission and any presently existing resolution authorizing the issuance of any bonds, notes or other obligations of the commission, the tolls and all other revenue derived from the Pennsylvania Turnpike System shall be set aside and pledged as may be provided in any resolutions, trust indentures or any other agreements that the commission may hereafter adopt or hereafter enter into with respect to the issuance of bonds, notes or other obligations of the commission.

Section 17. Refunding bonds.

The commission is hereby authorized to provide, by resolution, for the issuance of turnpike revenue refunding bonds for the purpose of refunding any turnpike revenue bonds, notes or other obligations issued and then outstanding. The issuance of such turnpike revenue refunding bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the Commonwealth and of the commission in respect to the same, shall be governed by the provisions of this act insofar as the same may be applicable.

Section 18. Rights of obligation holders and trustees.

Any holder of bonds, notes or other obligations issued under the provisions of this act, or any of the coupons attached thereto, and the trustee under the trust indenture, if any, except to the extent the rights herein given, may be restricted by resolution passed before the issuance of the bonds, notes or other obligations, or by the trust indenture, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce any and all rights granted hereunder or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof, including the fixing, charging and collecting of tolls for the use of the turnpikes.

Section 19. Authority granted to the Secretary of Transportation.

(a) Agreement with Federal Government.—The Secretary of Transportation is hereby authorized and empowered to enter into an agreement with the United States Department of Transportation, the Federal Highway Administration and any other Federal agency pursuant to section 105 of the Federal-Aid Highway Act of 1978 (Public Law 95-599), in order to obtain Federal funds for projects for resurfacing, restoring and rehabilitating toll roads in Pennsylvania. The commission is authorized to use Federal funds which may be available for toll roads only pursuant to the approval of the Pennsylvania Secretary of Transportation and only pursuant to the authority granted in this section.

(b) Approval by department.—All contracts and agreements relating to the construction of the turnpikes and connecting tunnels and bridges shall be approved by the Department of Transportation.

Section 20. Construction of act.

This act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing and shall be liberally construed to effect the purposes thereof.

Section 21. Repeals.

(a) Absolute repeals.—The following acts and parts of acts are repealed:

Section 18 of the act of May 16, 1940 (1941 Sp.Sess. P.L.949, No.11), known as the Pennsylvania Turnpike Philadelphia Extension Act.

Section 18 of the act of June 11, 1941 (P.L.101, No.53), known as the Western Pennsylvania Turnpike Extension Act.

Section 18 of the act of May 23, 1951 (P.L.335, No.74), known as the Pennsylvania Turnpike Delaware River Extension Act.

Section 18 of the act of September 27, 1951 (P.L.1430, No.348), known as the Pennsylvania Turnpike Northeastern Extension Act.

Section 18 of the act of May 15, 1956 (1955 P.L.1589, No.534), known as the Pennsylvania Turnpike Philadelphia Loop Extension Act.

(b) Inconsistent repeals.—The following acts and parts of acts are repealed insofar as they are inconsistent with this act:

Act of May 21, 1937 (P.L.774, No.211), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; 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 and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds."

(c) Partial repeal.—Section 207.1(c)(2) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, to the extent that it requires a vote of two-thirds of the members elected to the Senate to confirm appointments to the Pennsylvania Turnpike Commission.

(d) General repeal.—All other acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 22. Effective date.

Except for sections 5 and 21(c) which shall take effect immediately, this act shall take effect 30 days following the commissioning of members to fill all vacancies existing in commission membership at the time of enactment of this act.

On the question,

Will the Senate agree to the amendment?

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Allegheny, Senator Zemprelli, will state it.

Senator ZEMPRELLI. Mr. President, is it not also concurrently possible to also offer, as an independent amendment once the bill has been amended, an amendment which would affect the amendment?

The PRESIDENT. The Chair would ask the gentleman, is it the gentleman's intention to amend Senator Stauffer's amendment today or amend the bill as amended tomorrow?

Senator ZEMPRELLI. Mr. President, perhaps, if I give an explanation to where I am coming from, it might facilitate matters. In the Chair's indicating to the gentleman from Cambria, Senator Singel, that he would have to present his amendment to an amendment this evening, and understanding and anticipating that he is not prepared to do that, I was only suggesting to the Chair that once the bill has been amended and in print, subject to the consent of the Senate, it is also germane to present that same amendment and the effect of which it passed would be to accomplish the same purpose.

The PRESIDENT. The gentleman is correct. The Members are free to amend this bill in its amended form once the bill is reprinted on a subsequent day of consideration.

Senator ZEMPRELLI. Mr. President, therefore, the Chair was not suggesting to the gentleman if he did not, by implication that is, have his amendment in order today to the amendment that was being presented, that he would be foreclosed from offering the same substantial amendment that would accomplish the same end, if necessary?

The PRESIDENT. That is correct. What the Chair did mean to say is that the gentleman would not be able to offer that amendment today prior to the reprinting of the bill, as amended. He would be free to do so tomorrow once the bill is reprinted after it has been amended.

QUESTION DIVIDED

Senator ZEMPRELLI. Mr. President, at this time I would move to bifurcate the amendment and to do so by removing from immediate consideration Section 5 and Section 21, subparagraph (c), and that the issue of the amendment in its entirety, with the exception of those two amendments or divisions referred to, be deleted from consideration at this time and be considered at a later time as part of the bifurcated amendment.

The PRESIDENT. For the gentleman's information, it is not required that he make a motion to divide the question. The question, upon his request, will be divided.

Senator ZEMPRELLI. Mr. President, I would then amend my statement to change the word from "motion" to "request" and reestablish the same request.

The PRESIDENT. Senator Zemprelli requests a division of the question. The question then becomes, will the Senate agree to Senator Stauffer's amendment with the exception of the following sections: on page 7 of the amendment, the entirety of Section 5 and on page 15 of the amendment, Section 18, subparagraph (c)?

Senator ZEMPRELLI. Mr. President, may we be at ease? I thought it was Section 21.

The PRESIDENT. The gentleman is correct. It is Section 21, subparagraph (c).

Does Senator Singel have a question regarding his procedure that he needs cleared up before we go into this matter?

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Cambria, Senator Singel, will state it.

Senator SINGEL. I do not want to belabor this, Mr. President. I know we are getting very specific here, but I am confused because we have an amendment being drafted to the amendment of the gentleman from Chester, Senator Stauffer, and now with it being bifurcated and being included in this bill, the question is, will that amendment be in proper form, assuming that tomorrow I get a chance to offer that amendment?

The PRESIDENT. Will the gentleman approach the rostrum? Maybe we can figure it out here.

MOTION TO CONSIDER DIVIDED AMENDMENT

Senator STAUFFER. Mr. President, the question having been divided, I move that as a first order of business we consider Section 5 and Section 21(c). I would ask for an affirmative vote on the adoption of that portion of the amendment.

The PRESIDENT. Senator Stauffer moves that the Senate consider, in the divided question, Section 5 and Section 21(c) as the first order under this amendment.

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

Senator REIBMAN. Mr. President, I notice that after page 12 in the amendment there is a page 13. After page 15 there is also a duplicate page 13. Does that mean there is an omission of a page 16?

Senator STAUFFER. Mr. President, I think I can be helpful. This is a fifteen page amendment, and in the haste of putting it together some of the copies do have a couple of the pages interchanged. For example, in my copy I have two page 13's. There are fifteen pages and they are properly numbered, so that if you have more than one of the same number, it would be a duplication of the same page.

Senator ZEMPRELLI. Mr. President, I would simply say that on the motion I would ask the Chair to enter a voice vote. I am sure the Majority will win on the issue of the preference of time in handling these two issues. Additionally, Mr. President, I would call to the attention of the Democratic Members of the Senate that if the Majority prevails, as I believe it will, the bifurcation and division of the issue would have us voting, first, on the so-called alleged reforms of the Turnpike Commission, Section 5 dealing with the term of office and Section 21(c) dealing with the repealer that would deal with the number of members that it would take to confirm a member of the Turnpike Commission. The significance of this, Mr. President, is the remaining items in the amendment pertain only to the Turnpike toll expansion, so that in the first issue that is presented we are dealing with the restructuring of the Turnpike Commission. I am asking for a negative vote for many, many reasons, one of which is the clumsy language of what was intended, not even referring in Section 5 to the fact that they are talking about five members and many, many other matters that are offensive and also incorrect in terms of the preparation and haste of this bill, all of which points to

the fact that there must be some compelling reason on the part of the Majority for us to be moving at this late hour on a reform measure that none of us have had an opportunity to evaluate. Perhaps, maybe tomorrow, when we have an opportunity to analyze it very carefully, we may have a different attitude, but for this moment in time I am asking for a negative vote on behalf of the Members of the Senate, including my caucus and the Republican caucus.

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

A voice vote having been taken, the question was determined in the affirmative, and the motion was agreed to.

On the question,

Will the Senate agree to the first part of the amendment, that being Section 5 on page 7, and Section 21, subparagraph (c) on Page 15?

Senator STAUFFER. Mr. President, I would ask for an "aye" vote on the question.

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Philadelphia, Senator Fumo, will state it.

Senator FUMO. Mr. President, is this on the order of presentation or is this on Section 5?

The PRESIDENT. This is on Section 5.

Senator FUMO. That is what I thought, Mr. President.

Mr. President, I desire to interrogate the Majority Leader, the gentleman from Chester, Senator Stauffer.

The PRESIDENT. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator FUMO. Mr. President, with regard to Section 5, I call the gentleman's attention to the language which starts out on line 9, at the end, where it says:

"A majority of the members of the commission serving in accordance with law shall constitute a quorum and such majority, acting unanimously, shall be required for any action."

Does the gentleman see that language?

Senator STAUFFER. I see that language, yes, Mr. President.

Senator FUMO. My question is, Mr. President, I assume the gentleman is not changing the number of the members of the commission, which is at five, which would be the Secretary of Transportation and four members who are appointed by the Governor, is that correct?

Senator STAUFFER. That is correct, Mr. President. This language is the same language that appears in the Public Utility Commission law. We used the same language so that there would be a uniformity in the statute.

Senator FUMO. Mr. President, where does it say that there will be five members? I know I made my assumption, but I did not make it because there is anything written on paper, and that is one of my first questions.

Senator STAUFFER. Mr. President, the five members are still contained in the basic Turnpike statute. We are not changing that.

Senator FUMO. I would assume we are not repealing that portion, Mr. President?

Senator STAUFFER. That is correct, Mr. President.

Senator FUMO. Mr. President, when dealing with that sentence, it seems to indicate to me—I do not know if this is in the PUC law or not, but if it is, maybe it should be changed there as well—this language seems to say the following—and if I am wrong I stand to be corrected by the Majority Leader with an explanation—if there are five members of the commission and one's term expires through the process enumerated above and he is forced off the commission after the ninety days, and assuming the Governor does not make an appointment, and certainly if we are dealing with the Thornburgh Administration their record on this has not been good, but assuming an appointment is not made and the commission is now down to four members, the language then seems to indicate that those four members will now be a majority and that will be a quorum because it says, "...A majority of the members..." and then it says, "...acting unanimously..." Does that then not change the number of people necessary from three to four to make a decision?

Senator STAUFFER. No, Mr. President, the number would still be three.

Senator FUMO. Why is that, Mr. President?

Senator STAUFFER. Because that is what it says, Mr. President.

Senator FUMO. Mr. President, is it also the gentleman's position that a Governor could not allow the commission to thoroughly expire and then go into oblivion? What would happen if a Governor did not make appointments within ninety days of any of the four members?

Senator STAUFFER. Mr. President, we do have a constitutional provision which requires the nomination process to move forward. But, in any event, that could happen under existing law. This does not change that scenario in any way.

Senator FUMO. Mr. President, I beg to differ with the gentleman. It could not happen under existing law because of the U. S. Q provision which allows a member to stay in until his successor qualifies. He does not have to go off after ninety days.

Senator STAUFFER. Yes, Mr. President, but vacancies can occur for other reasons.

Senator FUMO. Well, Mr. President, that has not been the case around here too often. All right, Mr. President, I thank the gentleman.

Mr. President, I rise in opposition to this section because this is the very crux of the argument and of the debate that we have been having around here for the last few days which is the political debate. It is a valid debate. It centers around whether or not the Governor will seize control of the Turnpike Commission and whether or not that Governor, based on the information that we have had and that we have gotten from internal memoranda and PennDOT indicating that it is their

desire, that is the Thornburgh Administration, to either abolish the Turnpike Commission or to limit the expansion program that is talked about in this very bill. That has been the crux of this argument, Mr. President. This is blatant politics at its best. I have no objection to that because I am not hypocritical, I believe in the political process. But let us not kid ourselves and talk about reform. That has always been a dangerous word in this Chamber and people who want to hide behind it, I think, are sometimes suspect. This is not reform of anything, Mr. President, this is the ability to give the current Majority, and I emphasize the current Majority, the right to possibly seize control of the Turnpike Commission, make it political, more so than it is today, and to seize absolute power. This is absolutely, positively, and without a doubt, not reform, this is blatant hardball politics. So let us not kid ourselves about that issue, Mr. President. If we are really about building a road, and if we are really about expanding the economy of Pennsylvania, then I submit to you that we should get on with that process and not muddy the waters with these types of shenanigans.

Certainly the Majority today may have its way. I doubt that will be the end product of this legislation because, thank God, there is another House, and that is controlled by what I perceive to be a more responsible party, certainly a democratic one. Why do we not stop kidding people? Why do we not stop kidding people about the economy? I heard earlier today the Majority Leader say to us the economy of this Commonwealth is flat and that was why we needed the \$4 billion appropriation in road expansion. I think we do need that road expansion, Mr. President, and I think the Minority Leader's motion in separating this issue was a good one. I think if we are really about that, we should vote this section down and get on with the serious consideration about expansion.

Mr. President, I submit that probably what will happen today is the Majority will enact this section and only for the purpose of doing either one of two things, but, basically, those two things boil down to one thing, and that is seizing control to do what they want with that program. What we are talking about is the same carrot and stick approach, the same threat, the same extortion and the same blackmail that was used by the Governor continuously in his parade about the state when he said that if we did not confirm Dr. Wilburn, he would not allow the road project to go. That in any other language is blackmail, and we know it for what it is. This is the same game because we all know that if this provision stays in this bill, it will die with the bill in the House.

What are we talking about? Mr. President, let us remove this once and for all. Let us test the air and see if the Republican Majority in this Senate really wants the \$4 billion expansion they have been talking about or whether they just want to use it as a blatant piece of extortion to get a political grab at the Turnpike Commission. That is what this is really about. Let us recognize it for what it is. Let us vote "no" on this today, and let us go ahead then with the provisions of expansion.

I recall on this floor the Majority Leader saying over a month ago that when we get back from recess after the election, on Monday we would run Wilburn and on Tuesday we would run this bill. Monday came and Wilburn could not be run because he did not get the votes, Tuesday came and we never ran this bill and all those other days came along and we never ran this bill. Who is really serious about expansion? Certainly not the Republican Majority in this Chamber. They want to use it as a gimmick to try and get political opportunity to their advantage. All the protestations earlier today of the Majority Leader about splitting patronage to the contrary, I think what was said by us is very important. The issue is not that kind of split of patronage, the issue is whether or not we are going to go ahead with a true expansion of our Turnpike and of our economy. I submit the Republicans are only playing games with this as they have been playing games with this bill for almost a year, as they played games with this bill before we adjourned the last Session, as they have been playing games with this bill for the last six months during this Session. They continue to play games while trying to hide behind the shield of saying we are for roads, we will get to it on our own time.

That is a lie, Mr. President, that is a scam, Mr. President, and I resent it. Let us say what it is about. They will build the roads if they can control the political patronage. If they cannot control the political patronage, be damned with the economy. That is what they are saying and that is what they have been saying. I submit to you that is what we will be saying in here for the weeks to come until we recess for the summer and probably even in the next year, but there is an election coming and they will rue the day that they played these games with our economy.

And the question recurring,

Will the Senate agree to the first part of the amendment?

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

YEAS—26

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

NAYS—22

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

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

On the question,

Will the Senate agree to the balance of the amendment offered by Senator Stauffer?

Senator STAUFFER. Mr. President, I suggest we use the same vote on this portion of the amendment as the preceding portion.

Senator SINGEL. Mr. President, I object.

The PRESIDENT. There appears to be an objection to that, Senator.

Senator SINGEL. Mr. President, would the author of the amendment submit to a brief interrogation?

The PRESIDENT. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator SINGEL. Mr. President, I notice in this portion of the amendment that it is generally reflective of Senate Bill No. 124, with some notable exceptions in the first phase. Specifically, I would point to numbers (9) and (10) on page 4 of the amendment. The question is, Mr. President, can the gentleman give me an idea of the cost of the project denoted by number (9) on page 4 of his amendment?

Senator STAUFFER. Mr. President, I do not have a cost factor on that.

If we could be at ease, let me speak with the Chairman of the Committee on Transportation.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease)

Senator STAUFFER. Mr. President, I cannot attribute an exact figure to those particular projects, but I would point out to the gentleman that the entire bill provides the projects would be built as feasible, so, obviously, there would have to be a determination made by the Turnpike Commission as to the feasibility of building those two sections and the cost being feasible.

Senator SINGEL. Mr. President, I take it from the response he would not have an estimate on number (10), which from my reading is a brand new project that appears nowhere in the toll road legislation we have seen previously.

Senator STAUFFER. That is correct, Mr. President. The same situation prevails.

Senator SINGEL. I thank the gentleman, Mr. President.

On the amendment, number (9) on page 4, which has been injected into the first phase, appeared in a different phase of the original version of Senate Bill No. 124. It certainly is an important project. It certainly is one that is worth our attention and construction, but to place it in phase (a) above all of the other projects that have been negotiated and talked about and studied, and so on, adds a tremendous new burden. The estimate we had been working with was well in excess of \$250 million for that and approaching \$300 million. I suspect that number (10), which is a brand new road project that appears nowhere in any of the versions of the toll road legislation to this point, would also be in the neighborhood of \$300 million to \$400 million.

Mr. President, we have added by these two projects in phase (a) about \$700 million worth of new pork to this barrel, and the problem is that the projects that follow in subsequent phases are necessarily pushed down on the priority list. What has occurred here in this amendment is that the Majority is

asking us to support an amendment that is going to throw the balance of the toll road construction way out of kilter. What they have succeeded in doing in this amendment is injected their own priorities and said, yes, we want to build roads, but we want to build our roads first. I do not think that was the spirit of the Toll Roads Task Force that labored for two years and expended about \$800,000 worth of taxpayers' money. I do not think that was the spirit of House Bill No. 1 or Senate Bill No. 124, and I do not think it is right to inject that into this phase at this time.

In addition to the fact that the other projects have been pushed aside, as it were, there will be a very real question as to whether they will be gotten to at all. There is only so much bonded indebtedness that can be incurred. There is only so much commitment that we can extend to building roads, and we all appreciate this. As one who has a very vital project in the very next phase of this bill, I resent the fact that it has been relegated to a second class citizenship, and I do not think that is what was intended by the authors of either House Bill No. 1 or Senate Bill No. 124.

Having said all that, as one who has been a strong supporter of road construction and highway development, it is going to be very difficult to vote against the amendment. I would like to know, Mr. President, is there going to be some solid commitment to reach past this phase (a)? Are we going to get past some of the special pork barrel projects that have been injected and get to some of the projects that are listed in the subsequent phases of the toll road bill? I am very concerned that we are overloading this legislation. I think what we are doing is making it top-heavy in the first phase, and I feel that is a mistake in terms of prudent planning.

Mr. President, I am intending to offer an amendment to right that wrong and to readjust the priorities to bring them more in line to what the intent of the Toll Roads Task Force was and what the intent of the authors of the legislation was. However, having received this amendment only minutes ago, we do not have that amendment quite prepared. I would like to serve notice to all of my colleagues that we will intend to reprioritize in the amendment, I guess, in tomorrow's Session. I would simply ask everybody to keep an open mind because bear in mind that the likelihood of progressing past phase (a) that is loaded down as it is now is very slim. I appreciate having the opportunity to make those comments on this amendment, Mr. President.

Senator STAUFFER. Mr. President, in a very brief response to the gentleman, I would point out that no project has been removed from this proposal and there is no intention to take any project out, but I think we also have to be practical and recognize when you do establish priorities, there certainly is going to be some weight given to the priorities on the basis of those who are willing to support the legislation. Therefore, I would be frank to admit that in establishing our priorities, we certainly have paid attention to those who are supportive of the legislation as we have brought it forth.

Senator STOUT. Mr. President, I rise to oppose that portion of the amendment now before the Senate, basically

because of having served as a member of the Toll Roads Task Force. You have to go back to why it was originally created in 1982 after the Governor vetoed previously passed legislation on the basis that it might impair federal funds coming into Pennsylvania for highway improvements.

The Toll Roads Task Force was appointed and spent nearly eighteen to twenty months and a considerable amount of state dollars to come up with a plan. One of the key things of the task force was not to start off with a Christmas tree of highway projects. What had occurred in the past was that we have unfinished pieces of highway throughout this Commonwealth, projects that were started because members of the previous Administrations and previous General Assemblies wanted to cut a lot of ribbons all over this Commonwealth and leave highway projects unfinished.

We go to, on page 4, project number (9), Route 220 from Milesburg down to Bald Eagle, which was a project that was considered by the Toll Roads Task Force. At that time, in 1982 and 1983, when we were researching these various projects, this road was being built under funds from the Appalachian Highway Project. A Congressman from that area is a Member of the House Committee on Surface Transportation and was successful in getting demonstration project monies to build Route 220. We know now what has happened. There may be a possibility of a phase-out of Appalachian money for building Route 220, and now this project comes back into it. The estimated cost of project (9), for the information of my colleagues, is about \$286 million. Additionally, into the phase (a) project, it would cost nearly \$40 million of additional subsidy annually to pay for the debt service on this portion of road. I really have no difficulty with Route 220 being in there. It was originally considered and, because of other funding, there was not much attention paid because it was going to be built as a free highway. I do feel it should be down in a different classification. It should not be in phase (a), it should be in phase (b), as previous legislation had indicated and placed it in that priority.

Project (10) was never studied by the Toll Roads Task Force. Looking at the size of this project, it would probably cost in the \$500 million to \$600 million range and would cost about another \$100 million to \$120 million annually to fund that project through cross subsidies.

What is going to happen, for the benefit of Members of the Senate, is by doing that you disturb the whole delicate balance that was put together by the Toll Roads Task Force of trying to pick out projects that could be reasonably funded in phase (a) with their own revenue they would generate. The only particular projects that stood that test of being able to generate from their own revenues the cost of construction, debt service, maintenance and operation as a toll road were the Beaver Valley Expressway and the Greensburg Bypass. They come the closest to being able to pay for themselves.

In addition, we see the project added in for the New Cumberland Army Depot. I have no problem because it is my understanding the Department of Defense will be paying for that interchange there. The Lehigh Tunnel has now been

moved up into phase (a). It is approximately a \$40 million project that had been put down into phase (b) originally, so what we are seeing here is a Christmas treeing effect of adding projects that have not stood the test of review by the Toll Roads Task Force that came up with this legislation and developed a very delicate balance.

We do not know what we are doing here. This will probably end up in a Committee of Conference as we spent the last part of the 1984 Session trying to hammer out a compromise. For those Members who have projects down in phases (b), (c) and (d), by allowing this project (9) and this project (10) to be put in there, you are just jeopardizing the long-run projects that would benefit your area, and I oppose this amendment.

Senator SINGEL. Mr. President, thanks to an incredibly efficient staff and hard work in the Legislative Reference Bureau, I have an amendment to this amendment that I would like to offer at this time.

The PRESIDENT. Senator Singel offers an amendment to the amendment currently being considered.

SINGEL AMENDMENT TO STAUFFER AMENDMENT

Senator SINGEL offered the following amendment to the amendment:

Amend Amendments, page 4, lines 30 and 31, by striking out both of said lines

Amend Amendments, page 4, line 32, by striking out "(8)" and inserting: (7)

Amend Amendments, page 4, lines 36 through 44, by striking out all of said lines and inserting:

(8) From an interchange with Interstate Route 70 between existing interchanges at Lover and Speers extending northerly to an interchange with Interstate Route 376 in Pittsburgh and also extending southerly connecting with the existing interchange between U.S. Route 40 and the Mon Valley Expressway (L.R.1125).

(9) From an interchange with the turnpike at or near Interchange 10 extending northerly generally following and coincident where feasible with existing U.S. Route 219 to an interchange with Interstate Route 80 at or near Interchange 16.

Amend Amendments, page 4, lines 54 through 59, and page 5, lines 1 through 5, by striking out all of said lines on said pages

Amend Amendments, page 5, line 6, by striking out "(3)" and inserting: (1)

Amend Amendments, page 5, by inserting between lines 9 and 10:

(2) Construct an additional Lehigh Tunnel on the North-east Extension of the turnpike.

(3) Construct from a point at or near Interstate Route 80 Interchange 23 at Milesburg southwesterly generally along U.S. Route 220 to a connection with the existing U.S. Route 220 Expressway south of Bald Eagle.

(4) Construct a four-lane toll highway from a point at or near Cross Keys in Blair County and thence eastward through Blair, Huntingdon and Mifflin Counties and a portion of Juniata County to meet with the existing four-lane portion of Route 22/322 in Juniata County.

On the question,

Will the Senate agree to the amendment to the amendment?

Senator STAUFFER. Mr. President, may we be at ease for a moment, please?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator STAUFFER. Mr. President, the effect of the gentleman's amendment is to reestablish the priorities in the bill. We were perfectly satisfied that the priorities as established were good priorities, valid priorities, and I would, therefore, ask for a "no" vote on the amendment.

Senator SINGEL. Mr. President, I regret that because I really do think that is a violation of the spirit of the Toll Roads Task Force. As the gentleman from Washington, Senator Stout, who put in some long hours on that task force, has indicated, what we have before us does not reflect those priorities, does throw it out of kilter, does add a tremendous amount of new pork, and the truth of the matter is it may jeopardize the entire toll road project. I can understand people wanting to get their pet projects up into the first phase, as I do, and my amendment is an attempt to put some reality back into it and to approach what the initial intent was. I would ask all of my colleagues to assist in the effort, and I would ask for an affirmative vote on my amendment to the amendment.

Senator FUMO. Mr. President, I rise to support the amendment and for another reason in addition to those set forth by the gentleman from Cambria, Senator Singel, its sponsor. I think his amendment now crystallizes and zeroes in on the arguments made by the Majority and on the real sham that is going on here. What they have done with their "priorities" the Majority Leader talked about—I have some big, serious problems about the language he has used when he said we have set priorities based on those people who will support the bill. I think that borders on really heavy-handed conduct to say the least, but, Mr. President, what we are talking about here, unless this amendment goes in, is that project (10) which is on page 4, from our rough estimations is almost \$1 billion, somewhere between \$700 million, \$800 million, it could go as high as \$1 billion. I am advised this is through sixty-eight miles of the toughest terrain in Pennsylvania. While the Majority Leader very magnanimously says that we have not removed any projects, we have just changed the order around a little bit and added some more, any third grade kid knows there is just enough room to do things. The equation in this formula is very simple; you generate cash flow from tolls. Those tolls and that cash flow can be projected, and that was done by the study commission that came up with this report in the first place. That cash flow indicated to them that they might be able to support the \$4 billion program they put through, but even there they were forced to make priorities and they set forth a schedule. Assuming their logic was correct and that the cash flow generated by those roads would handle the debt service for \$4 billion, you have just knocked off \$1 billion of that \$4 billion for new pork barrel legislation.

Let us take a look at the whole concept and now we really see who the real politicians are, who the real "reformers" are. Look what they have done over there. They have now said to

those people who have priorities, "We are just going to stick in this extra little billion dollar project. Do not worry about a thing," when in reality that means if you look at the back end of this schedule you can just chop off all those projects that start to add up to \$1 billion. That is under the best scenario.

Now we take a look at the concept of majority confirmation. Now we take a look at the blatant political grab on the part of the Governor's Office. Now you read what happens in Section (a). They will pick and choose which ones they want to do, and if their philosophy is what they said today, that they have set their priorities based on their friends politically, then you damn well better believe that when Thornburgh's turkeys are over there on the Turnpike Commission they will be gobble gobble, doing what he tells them to do, and there is not going to be any regard whatsoever for the economic benefit of this. It is going to be which pork barrel legislation favors our friends. Who are those friends, contributors, people who have tough elections, people who just want a road and say they did something for their folks back home in their Republican districts?

Mr. President, that has nothing to do with the economy of this state. That has nothing to do with good government and, God forbid, we all know it has nothing to do with the word "reform." It takes us back to the 1800's and the type of political corruption we are talking about. Let us recognize it for what it is. If they have the courage on that side of the road and if they really want to be even half-hearted reformers, they damn well ought to support this amendment. At least it makes their scam look a little bit better. But I do not think they are. I think one thing they are is consistent. When they decide to go on a political grab like this, they are not letting anything stand in their way. They are going to be like a panzer division and go right down until they meet the brick wall across the Rotunda. Go ahead and do it, gentlemen, but let the record be clear, let the motivation be clear and let us all understand who is really about what. Now we finally understand and we have uncovered it today what all this nonsense is about qualified Turnpike Commissioners, who just happen to be sent over by different Republican Governors.

I urge an affirmative vote on the amendment, Mr. President, so we do not look as horrible as we look now.

And the question recurring,

Will the Senate agree to the amendment to the amendment?

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

YEAS—21

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

NAYS—27

Armstrong	Hess	Madigan	Shaffer
Bell	Holl	Moore	Shumaker
Brightbill	Hopper	Pecora	Stauffer
Corman	Howard	Peterson	Tilghman
Fisher	Jubelirer	Reibman	Wenger

Greenleaf Kratzer Rhoades Wilt
Helfrick 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 balance of the amendment offered by Senator Stauffer?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Chester, Senator Stauffer.

The PRESIDENT. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator KELLEY. Mr. President, I note on page 15 of the amendment, Section 21, dealing with repeals, the amendment appears to be under (a) listing all the subsequent amendments to the original Turnpike Act of 1937. Is that correct?

Senator STAUFFER. They are most of the extension laws, Mr. President.

Senator KELLEY. Mr. President, what concerns me is there are still some outstanding bond obligations on the part of the Turnpike. My understanding is that those bonding applications were authorized and issued under one, or a multiple of the number, of the Turnpike extension acts that are purported to be repealed by Section 21, subsection (a). Is that the gentleman's understanding?

Senator STAUFFER. Mr. President, there is nothing in this amendment nor is there any intent in this amendment to have any dealing with outstanding Turnpike bonds.

Senator KELLEY. Mr. President, I understand that would be the gentleman's intent. What concerns me is—and I know that would be our legislative intent as well—but I am wondering if we may not legally be effecting? I wonder if the gentleman would be so kind as to take this question and digest it overnight with his competent counsel and consultation and see if there may or may not be a problem that tomorrow we could correct it if necessary?

Senator STAUFFER. Mr. President, as the gentleman indicates, our intent is clear. Overnight we will carefully review the situation to determine that we have not, in fact, done anything to touch outstanding bonds.

Senator SINGEL. Mr. President, I desire to interrogate the gentleman from Chester, Senator Stauffer. I have just one more question on the gentleman's amendment.

The PRESIDENT. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator SINGEL. Mr. President, on page 4, in the first phase of the toll road construction, the language reads that the Pennsylvania Turnpike Commission is hereby authorized, empowered and directed to construct. In phase (b) the language changes somewhat. It says, "...the commission is hereby authorized and empowered to construct...." There is a noticeable omission of the word "directed." The question is, is it the intent of the sponsor of the amendment to direct the Turnpike Commission, if feasible, to proceed with phase (b),

or is he simply willing to leave the wording "authorized and empowered?"

Senator STAUFFER. Mr. President, the language that we have used is the same language which has tracked through all of the bills dealing with this issue. For example, House Bill No. 1 used this identical language, so in preparing our amendment we tracked the same language that was used in those previous legislative proposals.

Senator SINGEL. On the amendment, Mr. President, having prolonged the debate probably too long, I think there is genuine concern on this side of the aisle that, although all of us have put our votes up repeatedly in an effort to move ahead on House Bill No. 1 and Senate Bill No. 124 and there are, perhaps, very few people in the Senate who have a more pressing need for economic development and road construction than myself, we have effectively, in this amendment, overloaded it and turned a good program into a pork barrel program. I think with all considerations of conscience, I cannot see how we can support this overloaded and bloated Turnpike bill. I am going to be voting with great hesitation and with great reluctance, because every highway construction project is important, in the negative, because I think what we have really done here is jeopardize the future of the entire toll road bill concept.

LEGISLATIVE LEAVE

Senator FUMO. Mr. President, I request a temporary Capitol leave for Senator Bodack who was called down to his office.

The PRESIDENT. Are there any objections to a Capitol leave for Senator Bodack? Hearing none, that leave is granted.

And the question recurring,

Will the Senate agree to the balance of the amendment offered by Senator Stauffer?

Senator FUMO. Mr. President, I, too, intend to vote "no" on the amendment, because what we have before us is a perversion of the Toll Roads Task Force concept. What we have here is a bill that, basically, probably is not going anywhere. It allows the Republican Majority, who has kept bottlenecked for so long a period of time a bill that can work, and have kept that bottlenecked and hidden under cloak, and now they put out this perverted version of political pork barrel legislation at its worst. It does nothing for our economy. It does nothing for the State of Pennsylvania except satiate some egos on the other side of the aisle.

Mr. President, I would urge all my colleagues on this side of the aisle to vote "no," and all my colleagues on that side of the aisle to stand up and have the courage to vote "no." Let us bring this Chamber back to some integrity. Let us bring this Chamber back to a deliberative process that is necessary for the citizens of this Commonwealth. Let us try and be honest and have some integrity about this, rather than this nonsense. I would hope the media that is going to report this tomorrow clearly reports what happened here today and what is about to happen. Let us not have simplistic headlines; let us

have some fact in reporting. Let us have an analysis of how the Republicans stuck a billion dollars in from left field and killed the whole project, killed the whole concept.

Senator STOUT. Mr. President, although the date on our calendar says it is June 4th, in reality it is December 24th, Christmas eve, and we are decorating the Christmas tree with \$1 billion worth of additional projects that this legislation cannot stand, cannot support, and will only jeopardize those other projects that many Members, even on your side of the aisle, have worked for and voted for in the past; roads such as the Beaver Valley Expressway which comes down through an area that is very economically depressed today. It is vital for the economy in Lawrence, Mercer, and Beaver Counties. That project, at a cost of some \$190 million, is jeopardized by adding in projects (9) and (10). Also the road that affects areas like Route 219 that touch many Members' districts on that side of the aisle is also jeopardized because defeat of the amendment offered by the gentleman from Cambria, Senator Singel, that would have moved that up from phase (b) to phase (a), and other projects that are currently in phase (a), such as the Greensburg Bypass that touches many Members' districts on your side of the aisle, are also jeopardized by this. Again, this is not the intention of the Toll Roads Task Force. A bipartisan commission appointed by the Governor with only two Members from the General Assembly who served on it and people from the public who served on it have spent a lot of time in putting together a very realistic and workable program, but what we are doing here this evening is making a farce out of that effort, a typical action of the General Assembly to load up this bill with projects and jeopardize its future. Indeed, it is a sad day for economic development in Pennsylvania when we see this bill loaded up with projects that jeopardize its future and its workability. Mr. President, I oppose this amendment.

Senator STAUFFER. Mr. President, in the debate earlier today, the gentleman from Philadelphia, Senator Fumo, made the remark that if a number is used and goes unchallenged, then that number becomes a matter of fact. Therefore, I have to point out that the use of a billion dollar figure for a project in this amendment is—

PERSONAL PRIVILEGE

Senator FUMO. Mr. President, I rise to a point of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, Senator Fumo, will state it.

Senator FUMO. Mr. President, I never said that if something said is left unchallenged it is true. To keep the record clear, he has the wrong Senator.

Senator STAUFFER. Mr. President, I understand it was the gentleman from Allegheny, Senator Zemprelli. I apologize to the gentleman, and point out it was the gentleman from Allegheny, Senator Zemprelli, who said that.

The point is, Mr. President—

Senator FUMO. Mr. President, I know we all look alike, but let us keep that straight.

Senator STAUFFER. The point is, Mr. President, that the use of a billion dollars as the cost of the project in this amendment is a figment of someone's imagination. It is a number that someone has reached into the air to obtain. It has no foundation whatsoever. I think we should clearly understand that nobody knows what the cost of those projects will be. This bill calls for a feasibility study to determine what those costs will be. It is only after a feasibility study has determined what those costs would be and what the project would cost that it would move forward.

In conclusion, Mr. President, I would like to point out that the projects that are in that first section—the Greensburg Bypass, the Beaver Valley Expressway, the Montgomery County widening of the Turnpike—none of those would be delayed in any way. They will move forward without any obstruction if the other projects still remain in this proposal.

Senator STOUT. Mr. President, this information is for the Majority Leader. Project number (9), the Milesburg-Bald Eagle project, was studied by the Toll Roads Task Force and its cost in 1983 was estimated at \$286 million for that project. It would cost an annual debt service of \$40 million. Project number (10) is about sixty-eight miles long, and most of those projects of similar terrain have been running in the neighborhood of \$15 million to \$20 million per mile. So sixty-eight miles would be close to a billion dollar project for project (10).

Senator ROCKS. Mr. President, I believe in my term in this Senate I have probably spoken on this issue more than any other issue the Senate has addressed. I have long understood, long before coming to the Senate, the impact of Turnpike expansion, not on my district in the City of Philadelphia, Mr. President, but on the southeastern region of the state, for sure. Yes, as the gentleman from Delaware, Senator Bell, kindly pointed out earlier here today on the Port of Philadelphia, this is where we must have the connection of the Turnpike and Interstate 95, and probably more so in the district of the gentleman from Chester, Senator Stauffer, where the President of the United States is happy to appear in an area where the economy is not flat, but it is booming. This project for our Commonwealth is one we all have understood. As a matter of fact, two Governors, not just this Governor, have studied the concept of road development, and our battle in here many times for House Bill No. 1 has been one believing that we are changing a concept radically, that we are going to move toward a future of funding of roads to tolls. Not politically too popular for any of us, but it is what we believe is right. We have been so committed to that that at this hour today, to face this amendment, I think it is only fair to as accurately as possible describe the vote that is going to be cast, and for one moment, if for no other reason than for it to read some day in a record, I would like that to be established. This is not a vote that is about a studious approach to the future of highways or highway funding in this Commonwealth, not as two Governors have established it. This is a vote that is a matter of this afternoon and now this evening's political pique that a Majority party and, in particular, a Governor did not

get their confirmation of a Turnpike Commissioner and rather haphazardly sat around on one afternoon and threw together an amendment, and in putting that amendment together, totally disregarded what so many of us for so long have fought for and that is a future to highway funding and highway expansion that we believe is the economic centerpiece of what exists in our lifetime as Pennsylvanians. We throw it out with this amendment.

We sat around this afternoon and said, well, I am pro tempore of the Senate. Let me get my project in here, number one.

We said, well, who voted with us on that confirmation vote and who voted against us, or maybe who was heard at home against our little political confirmation? Let us bury their project and move somebody else's up on the list.

After at least two Administrations have tried in a thoughtful, well-planned approach to give this state and the people we represent a highway future and a funding plan that you and I, as responsible elected leaders, owe to the people who sent us here to see implemented, it is going to be very difficult, Mr. President, to cast a "no" vote on this amendment. Difficult because of the number of times I have personally appeared at this microphone with many of my colleagues over here fighting for this program. I hope it can finally be understood that our commitment really is sincere to what a Governor's task force and a commission gave us in this Commonwealth, and that we believe is the future we must have in Pennsylvania. I believe that opportunity is finally going to come and, in a much briefer fashion, maybe I will have the chance to come to this mike and say thank you, because we are doing the right thing, but not on this amendment and not as a matter of a little personal or political pique on an afternoon because a vote did not go your way.

Senator KELLEY. Mr. President, I do not very often disagree with my colleague from Philadelphia, Senator Rocks, even though factually what he recited may have been the process by which this amendment was conceived as far as the projects. I do not agree with this Administration or the previous Administration in the manner with which they went about to determine the construction of what highways and where. I think this practice in Pennsylvania was consistent at the original 1937 General Assembly. The original 164 miles were never determined ahead of time to be economically feasible. It was a wild dream of the Governor. They called it the dream highway. There was speculation in the legislative process as to whether or not there would be enough money, whether it would fold or if economically it would pay for itself. We did not have it in many of the extensions as well, but it was so successful. I am for this, not because my district happens to embrace—but I am happy it does—one of the major projects that they say economically will pay. The Northeast Extension was never determined to pay for itself. Where is our courage now? Why do we need some forecasting economist who says, it is going to happen? We know one thing economically. What we ought to be doing is building every project in (a), (b), (c) and (d) at one time as far as I am concerned. If we do not have

confidence in Pennsylvania and what a good transportation system is to a healthy economy, we are being irresponsible and shortsighted.

I urge an affirmative vote on this because I believe we are going to get the 219's and everything else, the Beaver Valley and the Mon Valley and every other project in here in our lifetime and very soon, in a short period of time. If we do not, then I am going to blame the Administration, Republican or Democratic. I am going to blame the Turnpike Commissioners because that is the only thing and the only hope we have to regenerate the economic health of this Commonwealth.

Senator FUMO. Mr. President, just to be clear from the remarks of the gentleman from Chester, Senator Stauffer, about my throwing around money so easily, I think the gentleman from Washington, Senator Stout, answered him with the degree of specificity he was looking for with regard to the amount. I guess I stand corrected because now those projects are about \$1.6 billion. I guess I did make a mistake, but I want to preface that by saying we started out this entire debate by asking the Majority Leader what these projects cost and he had no idea. So do not blame us if we put together our thumbnail sketches. Now we have it from an expert on the committee that we have now thrown this out of kilter to the degree of about \$1.6 billion. I do not share the enthusiasm of the gentleman from Westmoreland, Senator Kelley, that that many people are going to ride the roads, that we are now going to be able to support a \$6 billion project as opposed to a \$4.5 billion project. It is all nonsense and we ought to wise up and vote the right way and kill this turkey and let us get back to the drawing board and bring out the bills we know are right. Let us get them out, free up House Bill No. 1. Let us get moving instead of this nonsense. We all know what that legislation says. Let us not kid ourselves, let us vote "no" on this and get on with the proper business of this Senate.

And the question recurring,

Will the Senate agree to the balance of the amendment offered by Senator Stauffer?

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

YEAS—28

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

NAYS—20

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

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

On the question,

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

Senator FUMO. I object to the bill going up, Mr. President. It is not in printed form pursuant to Rule XIV, Section 13, in the Rules of the Senate which requires that, "All bills reported or re-reported from committee, if amended by the committee, and all bills on the Calendar, if amended by the Senate, shall be reprinted and a new printer's number assigned thereto before any action is taken thereon." This bill has been amended. There is no new printer's number, there is no reprinting of the bill, and I object to it going up until it is.

Senator STAUFFER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

MOTION TO SUSPEND RULES

Senator STAUFFER. Mr. President, I move that we suspend that portion of the Senate Rules that would require the bill to be in print in order to be considered for the second time.

The PRESIDENT. Senator Stauffer moves that the Senate suspend Senate Rule XIV, Section 13, requiring the amended bill to be printed. This is not a debatable motion.

On the question,

Will the Senate agree to the motion?

Senator FUMO. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator STAUFFER. Mr. President, I would also like to point out to the Members that in actuality the entire bill is before us in print since the amendment itself constitutes the entire piece of legislation.

The PRESIDENT. The Chair would remind the gentleman that the point is not debatable at this time.

Senator FUMO. Mr. President, I was hoping you would say that.

LEGISLATIVE LEAVE

Senator FUMO. Mr. President, I would like at this time to request a temporary Capitol leave for Senator Zemprelli.

The PRESIDENT. Is there an objection to a temporary Capitol leave for Senator Zemprelli? The Chair hears none. That leave is granted.

And the question recurring,

Will the Senate agree to the motion?

Senator FUMO. Mr. President, I would also urge our caucus to vote "no" on the suspension of the Rules.

The PRESIDENT. The Chair would also remind the gentleman that this is not debatable.

Senator FUMO. Mr. President, I wanted to give some direction and some guidance. Even the Rules cannot stand in the way of political expedience, and I want to let our Members know that.

The PRESIDENT. On the motion to suspend the Rules, the Clerk will call the roll.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—26

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

NAYS—21

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

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

And the question recurring,

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

It was agreed to.

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

UNFINISHED BUSINESS

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

May 14, 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 Kathryn Jane Grove, 2207 Market Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Harry Judy, Middletown, whose term expired.

DICK THORNBURGH.

JUDGE, COMMONWEALTH COURT
OF PENNSYLVANIA

May 7, 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 Carroll F. Purdy, Jr., Esquire, 211 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Commonwealth Court of Pennsylvania, to serve until the first Monday of January, 1988, vice the Honorable Robert W. Williams, Jr., resigned.

DICK THORNBURGH.

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

May 14, 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 Dorothy H. Mark, 605 East Orange Street, Shippensburg 17257, Cumberland County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF WARREN STATE HOSPITAL

May 6, 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 Karl Hoffman, 42 Arlington Drive, Warren 16365, Warren County, Twenty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BUTLER COUNTY
BOARD OF ASSISTANCE

May 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 Richard J. Robertson (Republican), 101 Crosslands Road, Butler 16001, Butler County, Twenty-first Senatorial District, for appointment as a member of the Butler County Board of Assistance, to serve until December 31, 1986, and until his successor is duly appointed and qualified, vice William E. Wilson, whose term expired.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

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

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

**COMMUNICATION FROM THE GOVERNOR
REPORTED FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator LOEPER, by unanimous consent, reported from the Committee on Rules and Executive Nominations, communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES
OF EMBREEVILLE STATE HOSPITAL

June 4, 1985.

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 29, 1985 for the appointment of Violet D. Armstead, 295 Northview Drive, Coatesville 19320, Chester County, Thirty-sixth Senatorial District, 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.

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

DICK THORNBURGH.

NOMINATION LAID ON THE TABLE

Senator LOEPER. Mr. President, I request the nomination just read by the Clerk be laid on the table.

The PRESIDENT. The nomination will be laid on the table.

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

Senator LOEPER 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

June 4, 1985.

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 28, 1985 for the appointment of William Cody Anderson, 523 Westview Street, Philadelphia 19119, Philadelphia County, Fourth 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, 1991, and until his successor is appointed and qualified, vice Robert W. Lentz, Valley Forge, resigned.

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

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF COSMETOLOGY

June 4, 1985.

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 28, 1985 for the appointment of Donald Donofrio, 25 Williams Lane, Hatboro 19040, Montgomery County, Twelfth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of two years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, pursuant to Act 100, approved June 30, 1984, to fill a new position.

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

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF COSMETOLOGY

June 4, 1985.

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 28, 1985 for the reappointment of Richard A. Eastman (Public Member), 1350 Hickory Road, Macungie 18062, Lehigh County, Forty-eighth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of one year and until his successor shall have been appointed and qualified, but not longer than six months beyond that period.

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

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF COSMETOLOGY

June 4, 1985.

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 28, 1985 for the appointment of Mario P. Ricciardi, 126 Alverstone Road, Clifton Heights 19081, Delaware County, Twenty-sixth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, to fill a new position, pursuant to Act 100, approved June 30, 1984.

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

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

June 4, 1985.

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 28, 1985 for the appointment of Clair E. Troy, 106 West Main Street, P. O. Box 554, Elizabethtown 17023, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor shall have been appointed and qualified, but not longer than six months beyond that period, pursuant to Act 100, approved June 30, 1984, to fill a new position.

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

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

June 4, 1985.

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 10, 1985 for the appointment of Fred W. Taylor, R. D. 2, Box SV30, East Stroudsburg 18301, Monroe County, Twentieth Senatorial District, as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Cosmo G. Lalli, Dunmore, whose term expired.

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 EMBREEVILLE STATE HOSPITAL

June 4, 1985.

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 29, 1985 for the appointment of Violet D. Armstead, 295 Northview Drive, Coatesville 19320, Chester County, Thirty-sixth Senatorial District, 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.

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

DICK THORNBURGH.
JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 4, 1985.

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 28, 1985 for the appointment of Thomas L. McGill, Jr., Esquire, 6809 Emlen Street, Apartment 301, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1986, vice the Honorable Stanley M. Greenberg, resigned.

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

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

June 4, 1985.

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 28, 1985 for the appointment of Walter L. Crocker, 320 Anthon Drive, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, as a member of the Pennsylvania Board of Probation and Parole, to serve until December 31, 1988, or until his successor is appointed and qualified, vice John H. Jefferson, Philadelphia, resigned.

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

DICK THORNBURGH.

PROTHONOTARY AND CLERK OF COURTS
IN AND FOR THE COUNTY OF ARMSTRONG

June 4, 1985.

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 28, 1985 for the appointment of Robert L. Blackburn, 879 Freeport Road, Freeport 16229, Armstrong County, Fortieth Senatorial District, as Prothonotary and Clerk of Courts in and for the County of Armstrong, to serve until the first Monday of January, 1986, vice James G. Kepics, deceased.

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

DICK THORNBURGH.

SHERIFF IN AND FOR THE
COUNTY OF CAMBRIA

June 4, 1985.

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 28, 1985 for the appointment of Richard W. Frombach, R. D. 1, Box 422, South Fork 15956, Cambria County, Thirty-fifth Senatorial District, as Sheriff in and for the County of Cambria, to serve until the first Monday of January, 1986, vice Joseph Cavanaugh, deceased.

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

DICK THORNBURGH.

NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

REPORTS FROM COMMITTEES

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

SB 271 (Pr. No. 283) (Rereported)

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

SB 632 (Pr. No. 934) (Rereported)

An Act relating to the prevention and reduction of premature death and disability in this Commonwealth; providing for assistance, coordination and support of the development and maintenance of a comprehensive emergency medical services system and for qualifications, eligibility and certification of emergency medical services personnel and licensing ambulance services; imposing powers and duties on the Department of Health; and making repeals.

SB 662 (Pr. No. 877) (Rereported)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," providing partial State reimbursement for local school districts for costs incurred for certain programs of asbestos removal.

SB 724 (Pr. No. 829) (Rereported)

An Act amending the act of January 25, 1966 (1965 P. L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," providing for grants for full-time students.

HB 2 (Pr. No. 1345) (Rereported)

An Act to provide for the establishment of a Commonwealth Commission on the Bicentennial of the United States Constitution; and making an appropriation.

HB 117 (Pr. No. 446) (Rereported)

An Act adopting an agreement relating to the Chesapeake Bay; and creating the Chesapeake Bay Commission.

HB 175 (Pr. No. 1437) (Rereported)

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), known as the "Pharmaceutical Assistance Contract for the Elderly Act," further providing for program criteria; and providing for a prescription drug education program.

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

SB 332 (Pr. No. 1102) (Amended)

An Act providing for indemnification of the cost of legal defense to health care providers for health care reporting requirements.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. J. Hayden Kurtz and to Major General Frank H. Smoker, Jr. by Senator Brightbill.

Congratulations of the Senate were extended to Cheryl A. Burcin by Senator Corman.

Congratulations of the Senate were extended to James A. Hodgdon and to William E. Hall by Senator Early.

Congratulations of the Senate were extended to Tamlyn Weaver, Loretta Jones, Lydia Canty, William Beckman, Jeffrey Worthy, Guglielmo Zaccane, Michelle Terrizzi, Martina Young, Evangela Forbes, Reginald L. Nelson, Lois Mitchell, Reginald Garrison, Thomasine Woods, Edward Carson, Paul Pepe, Ross Martines and to Donna Reilly by Senator Fumo.

Congratulations of the Senate were extended to Hatfield Volunteer Fire Company No. 1 and to the Volunteer Medical Service Corps of Lansdale by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Carl DeVore by Senator Jubelirer.

Congratulations of the Senate were extended to James E. Swan by Senator O'Pake.

Congratulations of the Senate were extended to Mable Bryner by Senator Peterson.

Congratulations of the Senate were extended to Sally Anne Chamberlain, Gregg Joseph Staples, Donna Canamucio and to Carole Lynn Pinto by Senator Salvatore.

Congratulations of the Senate were extended to Gunnery Sergeant Bob Gibbons, Mr. and Mrs. R. Raymond Lenz, L. Robert Kimball and to the Black United Service Clubs of Johnstown by Senator Singel.

Congratulations of the Senate were extended to David H. Goretzka and to Jeffrey A. Murray by Senator Stauffer.

COMMUNICATION FROM THE GOVERNOR

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA HOUSING FINANCE AGENCY

June 4, 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 J. Roger Glunt, 3719 Henley Drive, Pittsburgh 15235, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 1988, and until his successor is appointed and qualified, vice John Hobart Miller, Jr., Pittsburgh, whose term expired.

DICK THORNBURGH.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 36**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

GENERAL COMMUNICATIONS

REPORT OF THE HOUSE PROFESSIONAL LICENSURE COMMITTEE ON THE SUNSET EVALUATION AND REVIEW OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

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

June 4, 1985

Subject: State Board of Chiropractic
Examiners
To: Honorable Mark Corrigan,
Secretary of the Senate
From: Honorable William W. Rieger, Chairman
House Professional Licensure Committee

Attached is the Sunset Review Report for the State Board of Chiropractic Examiners submitted by the House Professional Licensure Committee in accordance with Act 142 of 1981 known as the "Sunset Act."

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

REPORT OF THE HOUSE PROFESSIONAL LICENSURE COMMITTEE ON THE SUNSET EVALUATION AND REVIEW OF THE STATE BOARD OF PHYSICAL THERAPY EXAMINERS

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

June 4, 1985

Subject: State Board of Physical Therapy
Examiners
To: Honorable Mark Corrigan,
Secretary of the Senate
From: Honorable William W. Rieger, Chairman
House Professional Licensure Committee

Attached is the Sunset Review Report for the State Board of Physical Therapy Examiners submitted by the House Professional Licensure Committee in accordance with Act 142 of 1981 known as the "Sunset Act."

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

BILLS ON FIRST CONSIDERATION

Senator STAUFFER. Mr. President, I move 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 332, 383, 661, 672, 708, 770, 774, 812, 860, 872, HB 150 and 666.

And said bills having been considered for the first time,

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, JUNE 6, 1985

9:00 A.M.	COMMUNITY AND to ECONOMIC DEVELOPMENT	Municipal Bldg., City Council
2:00 P.M.	(Hearings to discuss the Industrial Revenue Bond Program)	Chambers, State & Perry Sq., Erie
2:00 P.M.	Independent Regulatory Review Commission (Regu- lations to be considered: Emergency Management Council 30-42 - Nonessential Water Uses in the Delaware River Basin Drought Emergency Area; Securities Commission 50-22 - Temporary Agent Transfer Registration; State Bd. of Vehicle Manufacturers 16A-115 - Separate Business Identity; Established Place of Business; Proscribed Conduct; Emergency Management Agency 30-41 - Radiation Emergency Response Fund; Radiation Trans- portation Emergency Response Fund; Securities Commission 50-23 - Agent Registration Procedures; Securities Commission 50-24 - Application to Withdraw; Securities Commission 50-25 - Public Inspection of Records; Dept. of Transportation 18-197 - Identification Cards)	Heritage Rm. A, 333 Market St.

FRIDAY, JUNE 7, 1985

9:30 A.M.	LAW AND JUSTICE (to consider Sunset Review Public Hearing on Liquor Control Board)	Senate Majority Caucus Room
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MONDAY, JUNE 10, 1985

11:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider the Massachusetts Employment and Training Program for welfare recipients)	Senate Majority Caucus Room
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TUESDAY, JUNE 11, 1985

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 37, 417, 886; House Bills No. 6, 118, 499 and 1002)	Room 459, 4th Floor Conference Rm., North Wing
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WEDNESDAY, JUNE 12, 1985

9:00 A.M.	JUDICIARY (Public Hearing on Senate Bill No. 838)	Room 461, 4th Floor Conference Rm., North Wing
10:00 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 61, 306, 602, 642, 772 and Senate Resolution No. 43)	Room 460, 4th Floor Conference Rm., North Wing
10:00 A.M.	Public Employee Retire- ment Study Commission	Room 459, 4th Floor Conference Rm., North Wing

THURSDAY, JUNE 13, 1985

9:00 A.M.	LAW AND JUSTICE (to consider Sunset Review of the Board of Probation and Parole)	Senate Majority Caucus Room
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TUESDAY, JUNE 18, 1985

9:15 A.M.	SENATE and HOUSE JUDICIARY (Joint Hearing on Senate Bill No. 599)	Senate Majority Caucus Room
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THURSDAY, JUNE 20, 1985

2:00 P.M.	Independent Regulatory Review Commission	Heritage Rm. A, 333 Market St.
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TUESDAY, JUNE 25, 1985

9:00 A.M.	Legislative Budget and Finance Committee (Public release of the following reports: 1. Sunset Performance Audit of the Pennsylvania Commission	Senate Majority Caucus Room
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- on Crime and Delinquency;
2. Sunset Performance Audit of the Pennsylvania Commission on Sentencing;
 3. Sunset Performance Audit of the State Transportation Commission;
 4. Sunset Performance Audit of the State Conservation Commission;
 5. A Report on Low-Bid Rejections in the Department of Transportation Contract Award Process)

WEDNESDAY, JUNE 26, 1985

9:00 A.M. Legislative Budget and Finance Committee (Public release of sunset performance audit reports on the following organizations:

Senate Majority
Caucus Room

1. Pennsylvania Crime Commission;
2. State Board of Public Welfare;
3. State Horse Racing Commission;
4. State Harness Racing Commission;
5. Commission on Charitable Organizations)

THURSDAY, JULY 18, 1985

2:00 P.M. Independent Regulatory Review Commission

Heritage Rm. A,
333 Market St.

ADJOURNMENT

Senator STAUFFER. Mr. President, I move the Senate do now adjourn until Wednesday, June 5, 1985, at 11:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 7:25 p.m., Eastern Daylight Saving Time.