

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

THURSDAY, SEPTEMBER 19, 1985

SESSION OF 1985 169TH OF THE GENERAL ASSEMBLY

No. 55

### SENATE

THURSDAY, September 19, 1985.

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

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

### PRAYER

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

Our Heavenly Father, we come before Thee this day grateful that we, alone of all Thy creations, have the power to reason, to think, and to make decisions. Our special petition is that we may be given the wisdom which is beyond ourselves, divine guidance in all our actions. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of September 18, 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.

### SPECIAL ORDER OF BUSINESS

#### ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee of Conference on Senate Bill No. 441 to meet this afternoon off the floor.

### LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I would ask for a legislative leave for Senator Fisher.

Senator STAPLETON. Mr. President, I would like to have temporary Capitol leaves for the entire Philadelphia delegation who are meeting right now. They are Senator Fumo, Senator Lynch, Senator Rocks, Senator Williams, Senator Jones and Senator Hankins. I also request temporary Capitol leaves for Senator Reibman, Senator Kelley and Senator Lewis.

The PRESIDENT. Are there objections to a legislative leave for Senator Fisher and temporary Capitol leaves for Senator Fumo, Senator Lynch, Senator Rocks, Senator Williams, Senator Jones, Senator Hankins, Senator Reibman, Senator Kelley and Senator Lewis? The Chair hears none. Those leaves are granted.

Senator STAPLETON. Mr. President, I just received word that Senator Mellow will be delayed, so I am asking Capitol leave for him.

The PRESIDENT. Hearing no objections, Senator Mellow's leave is granted.

### LEAVES OF ABSENCE

Senator STAUFFER asked and obtained leaves of absence for Senator HELFRICK and Senator HOWARD, for today's Session, for personal reasons.

### COMMUNICATION FROM THE GOVERNOR

#### 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 STATE EMPLOYEES' RETIREMENT BOARD

September 19, 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 September 3, 1985 for the appointment of Murray G. Dickman, 1074-7 Lancaster Boulevard, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of The State Employees' Retirement Board, to serve for a term of four years, vice William J. Moran, Hazleton, whose term expired.

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

DICK THORNBURGH.

**HOUSE MESSAGES****HOUSE NONCONCURS IN SENATE  
AMENDMENTS TO HOUSE AMENDMENTS  
TO SENATE BILL**

The Clerk of the House of Representatives informed the Senate that the House has nonconcurred in amendments made by the Senate to House amendments to **SB 441**.

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

**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:

Recess Adjournment.

**GENERAL COMMUNICATIONS****REPORT OF THE HOUSE STATE GOVERNMENT  
COMMITTEE ON THE SUNSET EVALUATION  
AND REVIEW OF THE PENNSYLVANIA HUMAN  
RELATIONS COMMISSION**

The PRESIDENT. The Chair lays before the Senate the report of the House State Government Committee on the Sunset Evaluation and Review of the Pennsylvania Human Relations Commission.

This report will be filed in the Library.

**REPORT OF THE HOUSE AGRICULTURE  
COMMITTEE ON THE SUNSET EVALUATION  
AND REVIEW OF THE STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS**

The PRESIDENT. The Chair lays before the Senate the report of the House Agriculture Committee on the Sunset Evaluation and Review of the State Board of Veterinary Medical Examiners.

This report will be filed in the Library.

**CHANGES IN STANDING COMMITTEES  
OF THE SENATE**

The PRESIDENT. The Chair wishes to announce the President pro tempore has appointed Senator Noah W. Wenger to serve as Chairman of the Committee on State Government to fill the vacancy caused by Senator O'Connell's resignation. Senator Wenger has submitted his resignation as Chairman of the Senate Committee on Labor and Industry.

The President pro tempore has appointed Senator Clarence D. Bell to serve as a member of the Senate Committee on Transportation to fill the vacancy in committee membership caused by the resignation of Senator O'Connell.

The President pro tempore has appointed Senator Edwin G. Holl to serve as Vice-Chairman of the Senate Committee on Transportation to replace Senator O'Connell who has resigned. Senator Holl has submitted his resignation as Vice-

Chairman of the Committee on Environmental Resources and Energy.

**REPORTS FROM COMMITTEE**

Senator MOORE, from the Committee on State Government, reported the following bills:

**SB 870 (Pr. No. 1012)**

An Act amending the act of August 9, 1963 (P. L. 628, No. 337), entitled "Solicitation of Charitable Funds Act," further providing for exclusions from registration.

**SB 1038 (Pr. No. 1268)**

An Act designating the Western Pennsylvania School for the Deaf, Allegheny County, the Pennsylvania School for the Deaf, Philadelphia County, and the Scranton State School for the Deaf, Lackawanna County, as regional resource centers for hearing impairment.

**REPORT OF THE SENATE BANKING AND  
INSURANCE COMMITTEE REGARDING THE  
CATASTROPHIC LOSS TRUST FUND,  
PURSUANT TO SENATE RESOLUTION NO. 66**

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

**SENATE OF PENNSYLVANIA**

September 17, 1985

To: Mark R. Corrigan, Secretary  
Senate of Pennsylvania

From: Senator Edwin G. Holl, Chairman  
Senate Banking and Insurance Committee

Subject: Senate Banking and Insurance Committee  
Report of Committee Meeting  
September 11, 1985

Attached please find a copy of the "Report of the Senate Banking and Insurance Committee Regarding the Catastrophic Loss Trust Fund Pursuant to Senate Resolution 66" adopted unanimously by the Senate Banking and Insurance Committee September 11, 1985.

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

**SENATE RESOLUTIONS****DESIGNATING LABOR DAY WEEK AS  
"UNION LABEL WEEK"**

Senator SINGEL offered the following resolution (**Senate Resolution No. 75**), which was read, considered and adopted:

In the Senate, September 19, 1985.

**A RESOLUTION**

Designating Labor Day Week as "Union Label Week."

WHEREAS, Organized labor has always endeavored to maintain and improve good working conditions and wage standards for American workers; and

WHEREAS, Organized labor's distinctive emblems of quality craftsmanship and service are union labels, shop cards, store cards and service buttons; and

WHEREAS, The Union Label and Service Trades Department, AFL-CIO, sponsors "Union Label Week" each year during Labor Day Week to salute the union emblems as uniquely American hallmarks; therefore be it

RESOLVED, That the Senate designate Labor Day Week of each year as "Union Label Week" in this Commonwealth; and be it further

RESOLVED, That the Senate call upon the citizens of this Commonwealth to support the products and services identified by the union label, shop card, store card and service button.

**HONORING AMERICAN EDUCATOR WILLIAM  
MCGUFFEY OF CLAYSVILLE, PENNSYLVANIA,  
ON THE 185th ANNIVERSARY OF HIS  
BIRTH, SEPTEMBER 23**

Senators HESS, REIBMAN, MOORE and RHOADES offered the following resolution (**Senate Resolution No. 76**), which was read, considered and adopted:

In the Senate, September 19, 1985.

**A RESOLUTION**

Honoring American educator William McGuffey of Claysville, Pennsylvania, on the 185th Anniversary of his birth, September 23.

WHEREAS, William McGuffey was born near Claysville, Pennsylvania, on September 23, 1800, and graduated from Washington and Jefferson College located in Washington, Pennsylvania; and

WHEREAS, William McGuffey devoted his life to educating the youth of 19th century America as the chief architect of the Ohio public school system and as a professor of languages on the college level; and

WHEREAS, William McGuffey wrote the McGuffey Eclectic Readers, a series of six books designed to teach youngsters to read which sold 122 million copies; and

WHEREAS, The McGuffey Eclectic Readers taught traditional morality, virtues such as kindness, industry, honesty and modesty, as well as reading, playing a major role in shaping the American mind of the 19th century; therefore be it

RESOLVED, That the Senate honor American educator, Pennsylvanian William McGuffey, on the 185th Anniversary of his birth.

**DISCHARGE PETITIONS**

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

In the Senate, September 19, 1985.

**A PETITION**

To place before the Senate the nomination of Carroll F. Purdy, Jr., Esq., as a judge of the Commonwealth Court.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Carroll F. Purdy, Jr., Esq., Harrisburg, Pennsylvania, as a judge of the Commonwealth Court, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli  
J. William Lincoln  
Robert J. Mellow  
James E. Ross  
Francis J. Lynch

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

In the Senate, September 19, 1985.

**A PETITION**

To place before the Senate the nomination of Richard E. Grubb for Secretary of Agriculture.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Richard E. Grubb, State College, Pennsylvania, for Secretary of Agriculture, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli  
J. William Lincoln  
Robert J. Mellow  
James E. Ross  
Francis J. Lynch

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

**SUPPLEMENTAL CALENDAR NO. 1**

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

**SENATE INSISTS UPON ITS AMENDMENTS  
TO HOUSE AMENDMENTS NONCONCURRED IN  
BY THE HOUSE TO SB 441**

**SB 441 (Pr. No. 1141)** — The Senate proceeded to consideration of the bill, entitled:

An Act 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.

Senator STAUFFER. Mr. President, I move the Senate do insist upon its amendments to House amendments to Senate Bill No. 441, and that a Committee of Conference on the part of the Senate be appointed.

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

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

Senator LYNCH. 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 required by Senator STAUFFER and were as follows, viz:

YEAS—46

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

NAYS—1

Lynch

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair notes the return to the floor of Senator Lynch and Senator Mellow whose leaves will be cancelled.

COMMITTEE OF CONFERENCE  
APPOINTED ON SB 441

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators STAUFFER, CORMAN and STOUT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 441.

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

CALENDAR

BILL ON CONCURRENCE IN  
HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 282 (Pr. No. 1346) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing the salaries of district justices, judges of the Philadelphia Municipal Court and judges of the Philadelphia Traffic Court; and providing for community public service programs ordered by district justices.

Senator STAUFFER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 282.

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

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

YEAS—45

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

NAYS—2

Brightbill Pecora

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

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

**MEETING OF COMMITTEE OF CONFERENCE  
ON SB 441**

Senator STAUFFER. Mr. President, I would like to announce that the meeting of the Committee of Conference on Senate Bill No. 441 will take place at 1:30 p.m. in Room 461.

**CONSIDERATION OF CALENDAR RESUMED**

**BILLS ON CONCURRENCE IN  
HOUSE AMENDMENTS**

**BILLS OVER IN ORDER**

**SB 543 and 655** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**THIRD CONSIDERATION CALENDAR**

**BILLS REREPORTED FROM COMMITTEE AS  
AMENDED OVER IN ORDER**

**SB 693 and 964** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 743 (Pr. No. 1351)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 22, 1974 (P. L. 589, No. 205), entitled "Unfair Insurance Practices Act," further providing for unfair competition and unfair or deceptive acts and practices.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

**YEAS—46**

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

**NAYS—1**

Reibman

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

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

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT. The Chair notes the return to the floor of Senator Rocks and Senator Fumo whose leaves will be cancelled.

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 745 (Pr. No. 853)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 11, 1947 (P. L. 538, No. 246), entitled "The Casualty and Surety Rate Regulatory Act," further providing for ratemaking.

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—46**

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

**NAYS—1**

Reibman

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**

**BILLS REREPORTED FROM COMMITTEE AS  
AMENDED OVER IN ORDER**

**SB 560 and 826** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**BILLS OVER IN ORDER**

**SB 255 and 306** — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**UNFINISHED BUSINESS**

**COMMUNICATION FROM THE GOVERNOR  
TAKEN FROM THE TABLE**

Senator BRIGHTBILL, called from the table communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS

August 7, 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 June 13, 1985 for the appointment of Kerry A. Pae, 1500 L.A. Carr Lane, Dauphin 17018, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve for three years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Clinton Leiby, Allentown, whose term expired.

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

DICK THORNBURGH.

NOMINATION RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

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

June 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 Welling W. Fruehauf, C.P.A., 1601 Old Beulah Road, Pittsburgh 15235, Allegheny County, Forty-fourth 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 Michael Hanna, C.P.A., Pittsburgh, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF ACCOUNTANCY

June 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 Harold H. Shreckengast, Jr., C.P.A., 600 Cheltena Avenue, Jenkintown 19046, Montgomery County, Twelfth 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 Robert J. Seider, Ardmore, resigned.

DICK THORNBURGH.

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

July 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 Elbern H. Alkire, Jr., Box 73, R. D. 2, Emmaus 18049, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1991, vice Lucy Szabo, whose term expired.

DICK THORNBURGH.

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

July 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 Lynda M. Fedor, 85 Chapel Street, Wilkes-Barre 18702, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve for three years or for so long as she is a full-time undergraduate student in attendance at the university, whichever period is shorter, if she qualifies academically, vice Aaron Porter, graduated.

DICK THORNBURGH.

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

July 15, 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 Delvert W. Palmer, Jr., 1414 Maple Street, Rochester 15074, Beaver County, Forty-seventh Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve for three years or for so long as he is a full-time undergraduate student in attendance at the university, whichever period is shorter, if he qualifies academically, vice Kenneth Mitchell, who separated from the university.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF CHIROPRACTIC EXAMINERS

July 15, 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 Thomas R. Butler, D.C., 737 East Linn Street, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Chiropractic Examiners, to serve until July 15, 1989, and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF CHIROPRACTIC EXAMINERS

July 15, 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 Louis P. Latimer, D.C., 91 North Main Street, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Chiropractic Examiners, to serve until July 15, 1989, and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE  
CONSERVATION COMMISSION

July 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 William Lange (Urban Member), 400 Fairview Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until November 7, 1988, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE DENTAL  
COUNCIL AND EXAMINING BOARD

July 16, 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 Saul W. Greenwald, D.D.S., 12 North Main Street, Homer City 15748, Indiana County, Forty-first Senatorial District, for appointment as a member of the State Dental Council and Examining Board, to serve for a term of six years and until his successor shall have been appointed and qualified, vice Charles F. McDermott, D.D.S., Pittsburgh, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS

June 25, 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 Reverend Doctor Horace S. Sills (Public Member), 408 Park Terrace, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for five years, and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES OF  
INDIANA UNIVERSITY OF PENNSYLVANIA

July 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 Jeffrey L. Brooks, 1370 Third Avenue, Arnold 15068, Westmoreland County, Fortieth Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve for three years or for so long as he is a full-time undergraduate student in attendance at the university, whichever period is shorter, if he qualifies academically, vice Renee Forney, graduated.

DICK THORNBURGH.

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

July 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 Gerard A. Snyder, 1314 Hemlock Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for three years or for so long as he is a full-time undergraduate student in attendance at the university, whichever period is shorter, if he qualifies academically, vice James Huber, graduated.

DICK THORNBURGH.

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

July 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 Lewis B. Lee, 5349 Devonshire Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield 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 John Rigas, Coudersport, whose term expired.

DICK THORNBURGH.

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

July 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 Ann Owlett Wilcox, 55 Pearl Street, Wellsboro 16901, Tioga County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1987, and until her successor is appointed and qualified, vice Dick O. Hummel, Jr., Wellsboro, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

July 15, 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 Samuel A. Breene, Esquire, 22 National Transit Building, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1988, and until his successor is appointed and qualified, vice William K. Ulerich, Clearfield, whose term expired.

DICK THORNBURGH.

PROTHONOTARY AND CLERK OF  
COURTS, TIOGA COUNTY

July 15, 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 Harold L. Clark, R. D. 1, Box 127, Mansfield 16933, Tioga County, Twenty-third Senatorial District, for appointment as Prothonotary and Clerk of Courts in and for the County of Tioga, to serve until the first Monday of January, 1986, vice Edward Bellinger, resigned.

DICK THORNBURGH.

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

July 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 Regina L. Rossi, 152 Cypress Hill Drive, Pittsburgh 15235, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for three years or for so long as she is a full-time undergraduate student in attendance at the university, whichever period is shorter, if she qualifies academically, vice Katherine Fox, graduated.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF  
EXAMINERS IN SPEECH-LANGUAGE  
AND HEARING

May 20, 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 Alvin A. Kinsel, M.D., 222 Margery Drive, Pittsburgh 15238, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term to be determined by lot at the first meeting, pursuant to Act 238, approved December 21, 1984.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF  
EXAMINERS IN SPEECH-LANGUAGE  
AND HEARING

May 20, 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 Debra R. Suffolk, 132 West College Avenue, Pleasant Gap 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term to be determined by lot at the first meeting, pursuant to Act 238, approved December 21, 1984.

DICK THORNBURGH.

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

July 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 Kemper P. Muench, 3749 Sharon Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve for four years, vice James Scheiner, Harrisburg, confirmed to another position.

DICK THORNBURGH.

MEMBER OF THE STATE  
TRANSPORTATION COMMISSION

June 25, 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 M. Anderson, 2311 Brumbaugh Avenue, Huntingdon 16652, Huntingdon County, Thirtieth Senatorial District, for appointment as a member of the State Transportation Commission, to serve until February 7, 1990, and until his successor shall have been appointed and qualified, vice Thomas W. Byrne, Altoona, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE  
TRANSPORTATION COMMISSION

June 25, 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 Honorable Robert J. Kusse, 390 Follett Run Road, Warren 16365, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the State Transportation Commission, to serve until July 21, 1988, and until his successor shall have been appointed and qualified, vice Fred M. DeLuca, Erie, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF WEST CHESTER UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

July 16, 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 Joseph C. Zoll, 7016 Llanfair Road, Upper Darby 19082, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester 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 Bernard J. Carrozza, confirmed to another position.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF  
THE WESTERN YOUTH DEVELOPMENT CENTERS

July 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 Charlotte Arnold, 68 Timberline Court, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Board of Trustees of The Western Youth Development Centers, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Katherine Christofer, New Castle, resigned.

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—47

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

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.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CONSIDERATION OF CALENDAR RESUMED

RECONSIDERATION OF SB 743

BILL ON FINAL PASSAGE

SB 743 (Pr. No. 1351) — Senator ROMANELLI. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 743, Printer's No. 1351, just passed finally.

The motion was agreed to.

And the question recurring,  
Shall the bill pass finally?

Senator ROMANELLI. Mr. President, I would like to be recorded in the negative.

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—44

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

NAYS—3

Bodack	Reibman	Romanelli
--------	---------	-----------

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

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

**LEGISLATIVE LEAVE CANCELLED**

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

**CONSIDERATION OF CALENDAR RESUMED**

**RECONSIDERATION OF SB 745**

**BILL ON FINAL PASSAGE**

**SB 745 (Pr. No. 853)** — Senator ROMANELLI. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 745, Printer's No. 853, just passed finally.

The motion was agreed to.

And the question recurring,  
Shall the bill pass finally?

Senator ROMANELLI. Mr. President, I would like to be recorded in the negative.

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—44

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

NAYS—3

Bodack	Reibman	Romanelli
--------	---------	-----------

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

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

**LEGISLATIVE LEAVES CANCELLED**

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

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

**RECESS**

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for the purpose of the meeting of the Committee of Conference. My expectation is that we will return to the floor at about 2:15 p.m.

Senator JONES. Mr. President, I move to reconsider Senate Bill No. 743 and Senate Bill No. 745.

The PRESIDENT. If the lady will withdraw her motion, we can do that when we come back from recess.

Senator JONES. Mr. President, I withdraw the motion.

The PRESIDENT. For the purpose of a meeting of the Committee of Conference, the Chair declares the Senate in recess.

**AFTER RECESS**

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

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Reibman and her leave of absence will be cancelled.

**LEGISLATIVE LEAVES**

Senator STAUFFER. Mr. President, I would ask for a Capitol leave for Senator Peterson and a legislative leave for Senator Pecora.

The PRESIDENT pro tempore. Senator Stauffer has requested a temporary Capitol leave for Senator Peterson and a legislative leave for Senator Pecora. The Chair hears no objection and those leaves will be granted.

Senator STAUFFER. Mr. President, if I may, to complete that list, I request a legislative leave for Senator Armstrong.

The PRESIDENT pro tempore. Senator Stauffer has further requested a legislative leave for Senator Armstrong. The Chair hears no objection and that leave will be granted.

Senator LINCOLN. Mr. President, I would request temporary Capitol leaves for Senator Zemprelli and Senator Fumo and legislative leaves for Senator Williams and Senator Scanlon. Mr. President, may we go at ease for a moment so I could talk to you and the Secretary of the Senate as to how we stand on the leave situation before we go any further?

The PRESIDENT pro tempore. We will try to unravel it for you in one moment. Senator Lincoln has requested legislative leaves for Senator Williams and Senator Scanlon and temporary Capitol leaves for Senator Zemprelli and Senator Fumo. The Chair hears no objections to those leaves and they will be granted.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair recognizes the presence of the gentleman from Philadelphia, Senator Hankins, on the floor, and his temporary leave will be cancelled.

### HOUSE MESSAGES

#### HOUSE INSISTS UPON ITS NONCONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SB 441, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to House amendments to **SB 441**, and has appointed Messrs. MANDERINO, HUTCHINSON and DININNI as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator STAUFFER submitted the Report of Committee of Conference on **SB 441**, which was placed on the Calendar.

### SUPPLEMENTAL CALENDAR NO. 2

#### REPORT OF COMMITTEE OF CONFERENCE

##### REPORT ADOPTED

**SB 441 (Pr. No. 1353)** — The Senate proceeded to consideration of the bill, entitled:

An Act 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.

Senator STAUFFER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 441.

On the question,

Will the Senate agree to the motion?

Senator STAUFFER. Mr. President, with the consideration of the Committee of Conference report on Senate Bill No. 441, we reach the culmination of what has been a long and very difficult legislative issue. I need not recount the importance of the expansion of the toll road system. We have discussed that in this Body many, many times, and I think we all recognize the significant economic benefits to the Commonwealth that the expansion of the turnpike system will mean. I do think it is important for us to recognize, however, that although we are a deliberative Body and at times we can divide as to the best way to solve a problem and reach a solution, that in the final analysis we are a positive Body endeavoring to make things happen, to do good things and to do those things which will be beneficial to the Commonwealth. I believe in this report of the Committee of Conference today we have done just that. We have been able to hone a compromise in which, I believe, we can all take pride, in which we can all recognize that we have accomplished, despite the difficulties and divisions that existed in the past, something that is very positive and very beneficial. In that regard, I would like to thank all of those who participated and who cooperated and to say thank you for reaching this point today where we are able to move forward with, perhaps, the most significant piece of legislation that we have dealt with in several years.

Senator STOUT. Mr. President, I will be very brief because in consideration of the Toll Road Task Force legislation, this Chamber has been involved since the late seventies. I served on the Toll Road Task Force during 1983 that developed this. I have been involved in the sponsorship of this legislation. I

am very glad today that we have an agreement between the House, Senate and the Administration that enables us to support the compromise in Senate Bill No. 441 and to move forward with these projects which are most important to the economic growth of this Commonwealth. I thank those Members on the other side of the aisle and Members from my caucus and in both Chambers who worked with me over the last four and one-half, five years in developing this. I have confidence that in the future we will be able to continue to work together with the Turnpike Commission to move forward with these projects.

Senator BELL. Mr. President, being from southeastern Pennsylvania, on the surface it does not look like the turnpike improvements do much for our area, but that is completely inaccurate. The turnpike improvements all lead to the Port of Philadelphia. The Port of Philadelphia will be greatly benefited because the products of the remainder of the state and from the midwest could then easily reach the port. Included in this are interchanges on the blue route which is very important to my county. Included in this is the interchange on I-95. It is very important to all of the greater Philadelphia area. Not only will the products from the remainder of Pennsylvania—the southwest, northwest, greater Pittsburgh area and elsewhere—come into the Port of Philadelphia but, likewise, the products of our manufacturers will move to the northeast. I join with my colleagues in voting for \$4 billion of improvement and 150,000 construction jobs.

Senator SINGEL. Mr. President, like the previous speakers, I rise in support of the report of the Committee of Conference on Senate Bill No. 441. I want to take a few moments to say that I truly believe this represents a compromise in the best sense of the word and is a major victory for highway construction throughout the state. It has been a long and difficult process, and I also want to thank those who bargained and negotiated in good faith throughout these years to try to arrive at something that is geared toward economic revitalization throughout the state. The fact of the matter is that if this is adopted today, if it is adopted by the House, and if this Governor and the next Governor and the Turnpike Commission cooperate in the spirit of this compromise today, we may have embarked today upon the most ambitious economic development initiative ever in our history.

Mr. President, I also want to say that the language contained in this compromise package with regard to the Turnpike Commission itself will save us from the kind of political wrangling in the future that has stymied action over the past few years. It may be that we have set the tone for better cooperation in the Senate, the Legislature and between the Governor's Office and the Legislature, and I sincerely hope that is the case.

With that in mind, however, Mr. President, let us not forget that this is just the first step. When this is adopted, the Legislature will have done its job, and it will then be incumbent upon the Administration and the Turnpike Commission to follow through on its commitments to actually begin the highway construction. There are no real guarantees in this leg-

islation, but there is a lot of hope. There are no assurances that ground will be broken tomorrow or the next day or even the next year, but there is a faith on the part of the people who put this language together so that all of the highway projects eventually will be addressed.

Let me remind all of my colleagues and all of those interested in the highway construction that at several times during the years of debate we have had on this issue, there have been direct, sometimes written, assurances from this Administration that they are committed to all of the projects, at least through the first phases, subsections (a) and (b), in this bill.

For the record, Mr. President, I would remind all of my colleagues that the Secretary of Transportation and the Governor of the Commonwealth have stated their intention to proceed with the highway construction. It is necessary now for all of us to help them honor that commitment and to begin building the roads. As I have said before, today may be the day that we can lay aside the bickering and start the building.

Senator LINCOLN. Mr. President, would the gentleman from Chester, Senator Stauffer, submit to a brief interrogation?

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

Senator STAUFFER. I will, Mr. President.

Senator LINCOLN. Mr. President, in the final form Senate Bill No. 441, I believe at Printer's No. 1353, is in, in each of the priority sections of the legislation beginning on page 5 with subsection (a), there is a sentence that says "subject to the waiver of the Federal toll prohibition provisions where applicable, as follows...." To the gentleman's knowledge, Mr. President, are there any projects in subsection (a) which are exempt from that particular problem at this time?

Senator STAUFFER. Mr. President, I am sorry but I do not know the answer to that question. My understanding, however, Mr. President, is that there is the belief that everything can move forward without those waivers as far as federal tolling is concerned; that the financing of the projects might differ from that which would be used if the waivers were given but that in either event the projects can move forward.

Senator LINCOLN. Mr. President, on that same subject, to the gentleman's knowledge, has the Administration made any effort to date to obtain the waiver from the federal toll prohibition?

Senator STAUFFER. Mr. President, my understanding is that there have not been, that if there was an effort to do that, it would be generated from the Turnpike Commission.

Senator LINCOLN. Mr. President, in the language of the bill, do I understand correctly that we have authorized and empowered the Turnpike Commission to begin construction of the projects listed, but that they would still have to vote as a body and it would take four votes to approve these projects even though they are in law?

Senator STAUFFER. Mr. President, that is my understanding. The gentleman is correct.

## LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair recognizes the presence on the floor of Senator Zemprelli and his temporary Capitol leave will be cancelled.

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

Senator ZEMPRELLI. Mr. President, after having lived with the situation that is before us in part for over six and a half years, I feel compelled to make certain remarks, although they would be somewhat anticlimactic, as all that needs to be said has been said in one public forum or another up to now in which certain positions were advanced. The benefit of what has happened is that it does allow for the construction projects to go ahead, and although that is not with the degree of certainty that any of us would like to have, nonetheless it rests upon commitments made in the word of people who are, at least, judged to be responsible.

Although there are very many positive notes in this matter, the fact that the one sad commentary that needs to be made and because that scarring in a sense will last forever, is the fact that these projects have been delayed by at least the extent of one Session of this Legislature. It is pleasing to me to note that those who had taken the position of adamancy with respect to movement from position and setting down conditions precedent to any action that took place, or will take place here today, had retreated from that position.

The second aspect that is even more pleasing to me because that is in a form of a criticism—and I do not think I need to mention names—is the fact that the credibility of the Democratic caucus has been established in the fact that we said we stood ready at all times to have a reasonable compromise of the situation before us, and when we left here this summer, I made that commitment to the public. In doing so, I asked the gentleman from Lackawanna, Senator Mellow, the gentleman from Washington, Senator Stout, and the gentleman from Cambria, Senator Singel, along with the gentleman from Philadelphia, Senator Williams, to enter into negotiations with those who would make the thing happen. I was very proud to have been informed that the resolution that is before us was eventually to become what I consider to be a milestone for this Commonwealth in its economic development.

To say Senate Bill No. 441 before us now meets everything we would like to have would be an error. It does not. To say it is substantially complete would be an accuracy, a truism. To say we are satisfied as a caucus is a just and true statement because it recognizes in essence a complete compromise of parties hopefully having a common interest in mind, that common interest to let this Commonwealth go forward in its economic development.

It has been suggested by the gentleman from Cambria, Senator Singel, and others, what happens from this moment on will be the fact as to whether we did the right thing or did not do the right thing in these deliberations in our action on Senate Bill No. 441.

Senator LINCOLN. Mr. President, would the gentleman from Chester, Senator Stauffer, submit to one more question?

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

Senator STAUFFER. I will, Mr. President.

Senator LINCOLN. Mr. President, upon the passage of this particular report of the Committee of Conference, its ultimate passage by the House and its signing into law by the Governor, would the Turnpike Commission as reconstructed under this act then have the authority to follow the strictest guidelines of this particular report of the Committee of Conference or would they have the latitude to be able to pick projects out of order? Would they be able to take something that would be in the third phase, phase (c), and by a vote of four members of that commission make that a number one priority; or could they take number seven on the list in phase (a) and make it the first priority? In essence I am asking, I guess, will they have to follow the guidelines as laid down in subsections (a), (b) and (c) as the priorities of the projects listed?

Senator STAUFFER. Mr. President, I think it is important for the gentleman to first recognize that there is no magic between projects (1), (2), (3) or (7), that all of the projects that appear, for example, in phase (a) are considered equal projects and literally are all number one. I think the determining factor is the feasibility and the ability to move forward, and the Turnpike Commission would have the authority and, I believe, the mandate to move each project forward as quickly as is possible. I would point out to the gentleman, for example, that the project of the widening of the turnpike in the Valley Forge area is probably the most advanced of the projects as far as design and engineering and so forth is concerned and, therefore, would undoubtedly be one which could move forward very quickly. There would be other projects which have a great deal more to be done with regard to determining the exact corridor, the design, the acquisitions of rights-of-way and all those various things. My judgment is that we have a mandate in this legislation for the Turnpike Commission to move forward on all of the projects, that, particularly, as far as the immediate future is concerned, those in phases (a) and (b) are considered those which are ready to move forward in the speediest fashion.

Senator LINCOLN. Mr. President, I thank the gentleman for that answer, and I think that would clear my mind as to the projects listed in phase (a). I understand the necessity for listing things in order, and I will accept the answer of the eight projects in subsection (a) as being of equal importance and will probably move forward in not necessarily that order but as a group.

The thing that bothers me is that we have placed in this legislation before we get into the listing of the projects for phase (b) and for phase (c), language that says substantial progress must be completed on phase (a) before phase (b) can start and, subsequent to that, phase (b) has to be substantially completed before phase (c) can be started. In light of that lan-

guage, is it safe for me to assume and would it be a proper assumption that the legislative record will reflect today in the answers I am receiving that at no time will the Turnpike Commission members be able to take a project out of phase (c) or phase (b) and put them into phase (a) before there is substantial work completed on phase (a)?

Senator STAUFFER. Mr. President, my understanding is essentially that phases (a) and (b) are equal. The gentleman would be correct that phases (a) and (b) would move forward before phase (c) and those following. Therefore, in my mind I would feel that we would treat phases (a) and (b) very much as one. It would be my judgment that the Turnpike Commission would not be empowered to take a project out of, let us say, phase (c) or (d) and move it up ahead of those in phases (a) and (b). I think there is an absolute assurance that phases (a) and (b) are the projects which will move forth in the first instance.

Senator LINCOLN. Mr. President, from that answer am I to understand that, in reality, there really are only phases (a) and (b), and that phases (a) and (b) have been combined to be in the top priority? I do not understand why that would not have been more clearly delineated in the language of the bill. I am not sure, because of my limited experience with highway construction, that will be something that can physically and however else it is being done be done because it is an awful lot of work. It is very clear then that phase (c) is really the step-child of this whole operation. Do I understand the speaker to say that phase (c) will not be completed until all the projects are begun and until substantial work has been completed on phase (a) and phase (b)?

Senator STAUFFER. Mr. President, that would be correct, or until any of those projects in phases (a) and (b) were determined not to be feasible. I think we have to recognize there is the feasibility question which has to be determined on each of the projects and the report of the Toll Road Commission was the report which placed those projects into that type of categorization. I think that either projects in phases (a) and (b) will be substantially complete before they move on or will have been determined to be unfeasible.

Senator KELLEY. Mr. President, I believe everyone rightfully shares some joy today, but I think the record ought to be clear. The gentleman from Allegheny County spoke as though today was a vindication of or an establishment of the integrity of the Democratic caucus, and being a Member of that caucus I have to respectfully disagree with the gentleman. I do not think the integrity of the Democratic caucus is established any more than the integrity of the Republican caucus or this Administration because all speakers seem to agree that this is the most momentous economic single stimulus in legislation ever to come before the people of this Commonwealth. If that is the case, then no one can justify the fact that we just came off a two and one-half month hiatus. We should have stayed here continually and not taken a break. There is no integrity in the fact that we took that break, if we want to claim some integrity now. So let us bounce off the fact and have a little bit of heart yearning that we and our successors do not make

such magnitudinous failures in the future. So, we can have pleasure, but it should be tainted with some vinegar and salt at our own making, Mr. President.

The PRESIDENT pro tempore. The Chair thanks the gentleman for his words of wisdom.

Senator WILT. Mr. President, just a quick word before we vote this legislation. As someone who has been most interested in this legislation through the whole process and who has a project conspicuously in the first phase, to all of those who have worked so diligently to work out this compromise, just a word of thanks from me and the folks of the Fiftieth District.

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

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

#### YEAS—46

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

#### NAYS—1

Lynch

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

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

### CONSIDERATION OF CALENDAR RESUMED

#### RECONSIDERATION OF SB 743

##### BILL ON FINAL PASSAGE

**SB 743 (Pr. No. 1351)** — Senator JONES. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 743, Printer's No. 1351, just passed finally.

The motion was agreed to.

And the question recurring,  
Shall the bill pass finally?

Senator JONES. Mr. President, I simply want to say I was not here on the floor to vote. I was voted in the "yea" column and I would like to change that vote to "no."

Senator REIBMAN. Mr. President, I rise to support the vote of the lady from Philadelphia, Senator Jones, in voting "no" on Senate Bill No. 743 for the following reasons: The issue of an insurance rating system is, indeed, very complicated. However, when one studies the testimony from the June 24th public hearing, I think there is one fundamental

concept that was made clear: those who have more accidents and more risks have greater insurance costs and should, therefore, pay a larger premium than those who have lower costs. This universal principle should be applied across the board regardless of sex.

While it is true that statistically women have fewer accidents than men, it is not because women, merely because of their gender, are better drivers. Some are better drivers, some are not, just as there are some men who are excellent drivers and some who are not. I do not believe that it is right to base the rates of all males or all females on the generalized behavior of the class. To me this is exactly the same as averaging incomes. Mr. A has an income of \$500,000 a year. Mr. B has an income of \$300,000 a year. Mr. C has an income of \$50,000 a year. To arrive to average those incomes would mean to add them all up, divide them by three and the yield is \$283,333. Tell Mr. C who has an income of \$50,000 that he has an income of \$283,000, because that happens to be the average income. That is exactly what is happening to the insurance rates when you average them this way. Therefore, it seems eminently unfair to penalize someone with a safe driving record by charging them higher premiums just because of the generalized characteristics of a group. In my example, the generalized characteristic is that they all have an income. The Insurance Department has ordered companies to adopt sex neutral classifications and rating plans. This means that measurable factors such as driving records, mileage and sobriety should be used to help determine individual premiums. These new rating plans will consider driving experience as a factor. People with better driving records would then have lower rates. Instead of using general categories based on sex, rates will be fine tuned to the individual. With the advent of computers, it seems to me this is not such a formidable task.

This bill, Senate Bill No. 743, and its companion are obviously in opposition to the Mattes court decision in which the Supreme Court of Pennsylvania has clearly held that sex determination in rate making modifies and is in opposition to the State Equal Rights Amendment which would prohibit the use of sex as a factor in setting insurance rates. Any attempt to overrule this decision by legislation would, in my opinion, be unconstitutional. I, therefore, ask that we vote in the negative on these bills.

Senator WILLIAMS. Mr. President, speaking for Mr. D, Mr. E and Mr. F, I support the comments of both ladies in that I think the rates should be based on things other than sex and other classifications such as that which are relevant, such as safety, et cetera. I think it is an extremely important piece of legislation before us, and I congratulate the lady for asking for the reconsideration. I also urge a negative vote.

Senator HANKINS. Mr. President, after listening to the lady from Northampton, Senator Reibman, and the lady from Philadelphia, Senator Jones, at the last vote I was on Capitol leave and I would like to change my "aye" vote to a "no" vote on that particular issue.

LEGISLATIVE LEAVES

Senator ZEMPRELLI. Mr. President, I rise to request temporary Capitol leaves on behalf of Senator Bodack and Senator Early who had to leave to attend meetings.

The PRESIDENT pro tempore. Senator Zemprelli has requested Capitol leaves for Senator Early and Senator Bodack. The Chair hears no objection. Those leaves will be 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—41

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

NAYS—6

Bodack	Jones	Romanelli	Williams
Hankins	Reibman		

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.

RECONSIDERATION OF SB 745

BILL ON FINAL PASSAGE

SB 745 (Pr. No. 853) — Senator JONES. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 745, Printer's No. 853, just passed finally.

The motion was agreed to.

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—41

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

NAYS—6

Bodack	Jones	Romanelli	Williams
Hankins	Reibman		



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.

### UNFINISHED BUSINESS SENATE RESOLUTION

Senator ROCKS. Mr. President, I offer the following resolution and ask for unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Senator Rocks has asked for unanimous consent to offer the following resolution.

Senator STAUFFER. Mr. President, I would have an objection to immediate consideration.

The PRESIDENT pro tempore. There has been an objection, so, therefore, Senator Rocks reads in place and presents to the Chair a resolution.

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Maytown by Senator Armstrong.

Congratulations of the Senate were extended to Sandra Ferguson by Senator Fisher.

Congratulations of the Senate were extended to the Philadelphia Bar Association by Senator Fumo.

Congratulations of the Senate were extended to Matt Sheffer by Senator Hess.

Congratulations of the Senate were extended to Railroader's Memorial Museum of Altoona by Senator Jubelirer.

Congratulations of the Senate were extended to Harry K. Wilcox by Senator Kelley.

Congratulations of the Senate were extended to Father Andrew P. Maloney and to Father Daniel F. McCarthy by Senator Musto.

Congratulations of the Senate were extended to Ernest Varhola and to Dr. and Mrs. Ferdinand K. Shields by Senator Singel.

### PETITIONS AND REMONSTRANCES

Senator ROCKS. Mr. President, rather than belabor what has been a full day's work here, I will offer some remarks that I have on the bipartisan sponsored resolution that I fully hoped would be considered in here because the Majority Leader full well knows that the issue is extremely timely, the matter of state and local taxes as they would be impacted in the proposed federal tax reforms right now before the Ways and Means Committee of Congress. This issue is timely. It seemed critical enough to a host of people, Democrat, Republican, rural, suburban and urban, those we come here representing from our local units of government, that Pennsyl-

vania, at least this Senate, go on record as being opposed to the part of the President's tax reform package being considered right now. It is extremely timely. My disappointment, if not dismay, is that we could not have it considered and at least voted in here. This is a deliberative Body. If there are those who are in full support of President Reagan's full tax proposal, debate it straight up in this Chamber. Do not bury a resolution like this away in the Committee on Rules and Executive Nominations or, worse than that, protect the Governor who has stood in full support, somewhat incredulously to many other northeastern United States leaders, be they Democrat or Republican, of a tax proposal that does significant damage to the Commonwealth of Pennsylvania should it be enacted. The issue is timely. My full remarks on the substance of the matter of state and local taxes and their deductibility on our federal income tax reforms are in the following printed remarks that I submit for the record.

(The following prepared statement was made a part of the record at the request of the gentleman from Philadelphia, Senator ROCKS:)

Mr. President, let me say at the outset that I am pleased today to join with this coalition of Pennsylvanians from the educational, local government, and labor sectors in opposing the Reagan Administration's plan to eliminate a taxpayer's right to deduct state and local taxes from federal income tax liability.

What the President labels as federal tax simplification and tax reform becomes counterproductive and anything but honest reform when a crucial element of that proposal is to tax taxes.

Pennsylvanians today are not opposed to efforts to eliminate the complexity of the federal tax system or to changes that would result in across-the-board tax relief. But, I believe Pennsylvanians today understand that the President's plan is not all it is purported to be and that it needs a significant amount of work before it can be enacted by our Congress.

A taxpayer's right to deduct state and local taxes has been part of our federal tax system since the inception of the federal income tax nearly seventy-five years ago. The deduction was intended then and is intended now to prevent double taxation of our citizenry.

The effect of the President's proposed elimination of the deduction is to tell workers that they will pay federal income tax on money they never see—money that is automatically deducted from their paychecks for state and local income taxes. In my hometown of Philadelphia and in the suburbs surrounding this state's largest city, the President's plan would wreak havoc on citizens who pay the Philadelphia wage tax.

Philadelphia residents would no longer be able to deduct—from their federal income tax—the 4.96 percent tax they pay on wages. The same holds true for citizens who work in Philadelphia but reside in the suburbs who would no longer be able to deduct the 4.31 percent city wage tax imposed on them.

The point, simply, is that while we do not object to reform of the federal tax system, such reform must be equitable and



fair to all taxpayers in all regions of the state and all regions of the country. Any plan that would pit region against region and certain classes of citizens against one another will serve only to divide and possibly destroy the federalism that gives this nation its strength.

The White House and, I am sorry to say, even the Governor of this great State of Pennsylvania are engaged in a game of folly and deception when they suggest that only a very small minority—the wealthy they say—are benefiting from the deduction of state and local income and property taxes. The argument simply is not true.

In Pennsylvania nearly half of all the state's taxpayers itemize deductions for state and local taxes on federal income tax returns. Two-thirds of middle class households with incomes of between \$25,000 and \$30,000 take the deduction in Pennsylvania. And, in fact, the deduction for state and local taxes is the most widely used deduction.

To the average citizen, estimates indicate that the deductibility of state and local taxes results in an actual federal tax savings of \$724 annually.

Ronald Reagan and Dick Thornburgh want to take that tax savings away. They want to enact a system whereby you will pay taxes on top of taxes. They are either tragically misguided or horribly misinformed. I assure you they have not given much thought to the impact of their proposal on the structure of state and local government and the services state and local government provides.

Without question, the elimination of the deductibility of state and local taxes would increase the federal tax liability of many citizens and bring pressure upon state and local governments to drastically reduce or eliminate vital services. State and local funding for education, public safety and transportation would be threatened at a time when if it were not for state and local funding of such services there would be no services. Federal funding, particularly in the area of education, is miniscule if almost nonexistent.

I think Mario Cuomo put it best in a recent commentary when he criticized the Reagan plan and noted that it would erode each state's ability to meet its needs.

He said, and I quote: "Don't tax us for helping people in wheelchairs, the unemployed, the homeless, the mentally ill, those addicted to drugs, young people struggling to afford college and couples trying to buy a house."

In fact, the President's plan to tax taxes does threaten the state and local tax base and our ability to provide sufficient funding for the many state and local services. Therefore, the remarks of the Governor of New York are particularly appropriate.

And, despite Pennsylvania Governor Dick Thornburgh's intransigence on this issue and apparent desire to align himself with the White House on nearly every issue without regard to the impact on Pennsylvania, I am today sponsoring this resolution in the Pennsylvania Senate urging Congress to retain the deductibility of state and local taxes on federal income tax returns.

I am hopeful that, despite the Governor's position, there will be bipartisan support and immediate action on this resolution.

To be precise, Washington D.C. must receive the signal that the debate has started in Pennsylvania and that all is not what the Governor of Pennsylvania would have the nation believe about Pennsylvania.

The effort by this coalition to raise the public's awareness of the issues involved in the Reagan Administration tax proposal is to be commended and I thank the organizers of today's SALT-D rally and news briefing for allowing me to participate.

Senator ROMANELLI. Mr. President, it is not often that I take this microphone for petitions or remonstrances. However, I would be remiss if I did not go on record with my feelings congratulating the leaders of all four caucuses and their unanimous agreement on Senate Bill No. 441. I would like to be on record as congratulating all four leaders.

Senator STAUFFER. Mr. President, very briefly, I would like to respond to a couple of the remarks made by the gentleman from Philadelphia, Senator Rocks. I would first of all admonish the gentleman to not read into the failure to gain unanimous consent for the immediate consideration of an important resolution any position with regard to the tax reform proposals. I would point out to the gentleman, for example, that I, personally, have been doing quite a bit of work on that issue over the summer as have some other Members and there is a great deal of interest in that issue. We want to be very considerate in our caucus with regard to that issue. It is for that reason and that reason alone that we felt it should not be treated much in the manner as we treat a congratulatory resolution, by being rather haphazardly approved. We feel that it is an important issue which should go through the process and allow for some substantial participation from the membership.

Senator ROCKS. Mr. President, I guess I stand admonished but I need for the Majority Leader to understand at least this: I may be in my first term, Mr. President, but I am not spending my first day here. This is a resolution memorializing Congress. We have seen those things pass through this Chamber on some of the most innocuous issues that you and I, even with our active imaginations, could ever come up with. The fact of the matter is, as I tried to explain, this issue is timely and timely because the consideration by the United States Congress is now. What I do understand is that there are any number of Republican Senators in here who, in fact, would support this resolution. But the way that we very traditionally deal with the resolutions, especially memorializing Congress—because that is all we can do, Mr. President—is that we consider it on this floor. It is very much the experience in here, short of considering on this floor, we are burying it in a Committee on Rules and Executive Nominations. I am not so naive not to understand that that is what this was about today, unless the Republican Majority Leader may be coming forward with his own resolution to do the same thing, in which case I will be happy to join him in that magnanimous

action. I hope, however, in doing it we do not miss what is the critical vote to take place in Washington D.C. and miss having our feelings expressed in that National Capitol as to the strength of the sentiment of many of us here and the people we represent.

### 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 870 and 1038.**

And said bills having been considered for the first time,

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

### BILL SIGNED

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

**SB 282.**

### CHANGES IN STANDING COMMITTEES OF THE SENATE

The PRESIDENT pro tempore. The Chair wishes to announce he has appointed Senator Roy W. Wilt to serve as Vice-Chairman of the Environmental Resources and Energy Committee to replace Senator Edwin G. Holl who has resigned as Vice-Chairman, but remains as a member of the committee.

The Chair wishes to announce he has appointed Senator David J. Brightbill to serve as a member of the Senate Public Health and Welfare Committee to fill the vacancy in committee membership caused by Senator O'Connell's resignation.

The Chair wishes to announce he has appointed Senator Ralph W. Hess to serve as a member of the Senate State Government Committee to fill the vacancy in committee membership caused by Senator Wenger's appointment as Chairman.

The Chair wishes to announce he has appointed Senator Roger A. Madigan to serve as Chairman of the Senate Labor and Industry Committee to replace Senator Wenger who has resigned as Chairman.

The Chair wishes to announce he has appointed Senator Gibson E. Armstrong to serve as a member of the Senate Appropriations Committee to fill the vacancy in committee membership caused by the resignation of Senator O'Connell.

The Chair wishes to announce he has appointed Senator Noah W. Wenger to serve as a member of the Senate Committee on Labor and Industry to replace Senator Madigan who has become Chairman.

### HOUSE MESSAGE

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Report of Committee of Conference on **SB 441**.

### BILL SIGNED

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

**SB 441.**

### REPORT FROM COMMITTEE

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

**HB 98 (Pr. No. 2077) (Amended)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding provisions relating to support, custody, visitation, property and contracts; and making repeals.

### BILL ON FIRST CONSIDERATION

Senator STAUFFER. Mr. President, I move the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

**HB 98.**

And said bill having been considered for the first time,

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

### ADJOURNMENT

Senator STAUFFER. Mr. President, I move the Senate do now adjourn until Monday, September 30, 1985, at 2:00 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 3:30 p.m., Eastern Daylight Saving Time.