

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 10, 1985

SESSION OF 1985

169TH OF THE GENERAL ASSEMBLY

No. 77

SENATE

TUESDAY, December 10, 1985.

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

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

PRAYER

The Chaplain, the Reverend Mr. PAUL D. MARSDEN, Pastor of Bethany United Methodist Church, Marysville, offered the following prayer:

Let us pray.

Almighty God, Father of us all, who governs the world in righteousness and whose judgments are true and righteous altogether, grant us this day, O Lord, that these, the servants of this great Commonwealth, are to ply their power to rule and legislate in a wise and timely manner. May they with their colleagues in this great form of democratic rule be of one mind to establish justice and promote the welfare of all the citizens of this fair state.

Endow each Member of this Senate Body with right understanding, pure purpose and sound speech. Enable each to rise above all self-seeking and party zeal to the nobler concerns of public good and human brotherhood.

O Lord, where there are hard decisions and difficult choices to be made, give each Member of this Senate Body the courage to stand for the clear principles of honesty and decency upon which this great state and nation has been founded.

May the work that comes forth from this Chamber be a reflection of the desire of us all—every person in government service, every person in local government, every common citizen of our state—to do our very best in Thy sight to make this State of Pennsylvania the greatest state in our fair republic.

We thank You, O Lord, for all of the Members of this Body who have pledged their honor to be faithful servants of all the citizens of this state whom they represent.

In the strong and wise name of Jesus Christ our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of December 9, 1985.

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Appropriations to meet off the floor today to consider Senate Bill No. 1178.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would request a temporary Capitol leave on behalf of Senator Fisher.

The PRESIDENT pro tempore. Senator Loeper has requested a temporary Capitol leave for Senator Fisher. The Chair hears no objection. The leave will be granted.

Senator LINCOLN. Mr. President, I would request temporary Capitol leaves for Senator Williams, Senator Zemprelli and Senator Hankins.

The PRESIDENT pro tempore. Senator Lincoln has requested temporary Capitol leaves for Senator Hankins, Senator Williams and Senator Zemprelli. The Chair hears no objection. The leaves will be granted.

LEAVES OF ABSENCE

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

COMMUNICATION FROM THE GOVERNOR

CORRECTION TO NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

December 10, 1985.

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

Please note the nomination dated November 12, 1985 for the appointment of L. Paul Sinotte, Ph.D., 403 Ninth Street, North Wales 19454, Montgomery County, Twelfth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve until December 31, 1991, and until his successor is appointed and qualified, vice Herbert Browne, resigned, should be corrected to read:

L. Paul Sinotte, Ph.D., 403 Ninth Street, North Wales 19454, Montgomery County, Twelfth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve until December 31, 1987, and until his successor is appointed and qualified, vice Herbert Browne, resigned.

**REPORT FROM JOINT STATE GOVERNMENT
COMMISSION**

**PROPOSED EMINENT DOMAIN CODE WITH
COMMENTS - 1985**

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

JOINT STATE GOVERNMENT COMMISSION
Room 108 - Finance Building
Harrisburg 17120

December 10, 1985

To the Honorable, the Senate
of the General Assembly of the
Commonwealth of Pennsylvania

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the publication Proposed Eminent Domain Code With Comments - 1985.

Copies of this publication for members of the Senate have been placed in their post office boxes.

Respectfully submitted,
ROGER A. MADIGAN
Chairman

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

REPORTS FROM COMMITTEES

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

HB 1013 (Pr. No. 2075) (Rereported)

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

HB 1014 (Pr. No. 1251)

An Act providing for the adoption of capital projects to be financed from current revenues of the Boat and Fish Funds.

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

SB 1162 (Pr. No. 1688) (Amended)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, reducing the time for advertisement of accounts to two weeks; adding a section providing that documents submitted to the register of wills, except for probate, may be attested to by an affidavit or by a verified statement; avoiding automatic modification of wills and inter vivos conveyances that are made in contemplation of a marriage or divorce; adding a rule of interpretation for wills and conveyances regarding corporate fiduciaries; adding a chapter relating to contracts concerning succession; authorizing personal representatives to make certain temporary investments; adding the Pennsylvania Uniform Transfers to Minors Act; authorizing the court to exercise all rights and privileges under certain contracts which provide for payments to an incompetent or others after the incompetent's death; authorizing the court to modify the estate plan of an incompetent to reflect changes in applicable tax laws; further providing for the annexation of accounts; and making technical changes and repeals.

HB 249 (Pr. No. 266)

An Act amending the act of October 12, 1984 (P. L. 964, No. 188), entitled "An act establishing certain fees to be charged by the Clerk of Quarter Sessions of Philadelphia," further providing for bail bonds.

HB 250 (Pr. No. 2633) (Amended)

An Act establishing certain fees to be charged by the clerk of the Philadelphia Municipal Court in civil actions; and making a repeal.

HB 502 (Pr. No. 2634) (Amended)

An Act establishing the fees to be charged and collected by the clerk of courts in second class A counties only.

HB 503 (Pr. No. 2635) (Amended)

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the second class A only.

HB 717 (Pr. No. 2636) (Amended)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile appearances before district justices; and extending the time period for the disposition of summary cases under Title 75.

CALENDAR

HB 1892 CALLED UP OUT OF ORDER

HB 1892 (Pr. No. 2490) — Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1892 (Pr. No. 2490) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1893 (P. L. 188, No. 138), referred to as the "Legal Holiday Law," further providing that the third Monday in January shall be known as Dr. Martin Luther King, Jr. Day and observed as a holiday.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVE CANCELLED

Senator LOEPER. Before the roll call, Mr. President, I would note the return to the floor of Senator Fisher and ask that his Capitol leave be cancelled.

The PRESIDENT pro tempore. We are pleased to welcome back Senator Fisher. His temporary Capitol leave will be cancelled.

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	Madigan	Salvatore
Armstrong	Holl	Mellow	Scanlon
Bell	Hopper	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stout
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	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 without amendments.

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS CONSUL GENERAL OF IRELAND PRESENTED TO SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Philadelphia, Senator Rocks, for a special introduction.

Senator ROCKS. Mr. President, on behalf of the Senate, I want to thank you for your usual kindness in acknowledging a special guest and in presenting him to our colleagues here.

We have a busy agenda this week, for sure, in the Senate, but as all of us prepare for our holiday, whether our hope for peace in the world comes from the warm glow of the Hanukkah lights or the great hope of the new born Christ Child, this time of the year peace in the world is imminent on our minds.

We have a visitor who I am very proud to present to you, who is stationed in New York, who brings us a message of particular hope for peace in one corner of the world. He is the Consul General of Ireland, Mr. James Flavin.

The PRESIDENT pro tempore. The Chair would invite the Consul General to address the Senate. We are delighted and honored to have you here, sir. If you would like to come forward and give us a few words of greeting, we would be very honored.

(Applause.)

Mr. FLAVIN. Mr. President, ladies and gentlemen of the Senate, it is a particular privilege and pleasure for me to be able to come before you today in such splendid surroundings. One is always humbled, I think, to come into a Chamber which is so beautiful in its decor. You can be justly proud of it, as I know we are proud of the two Chambers in the Irish Legislature.

As Senator Rocks was very kind to say in his introductory remarks, I am delighted to have the opportunity to come before you today with a message of hope with regard to peace in Northern Ireland. Unhappily, that part of the Island of Ireland has been torn by a particularly difficult period of civil strife for the past sixteen or seventeen years. But, the adoption three weeks ago, outside Belfast, of an historic agreement, signed between the Irish and British governments, is something which I think you will all be glad to hear about.

The main objectives of that agreement are to create the conditions of the peace and stability in Northern Ireland, to bring about reconciliation between the two major traditions—the Unionist or Protestant, and Nationalist or Catholic tradition in Northern Ireland—and, thirdly, to bring about increased cooperation and friendly relations between the governments of Britain and Ireland.

The agreement provides an unprecedented role for the government of Ireland in the administration of Northern Ireland, and this is unprecedented, not simply because it relates to the relations between Britain and Ireland, but it is unprecedented because one cannot point to any parallel anywhere else in the world where one sovereign government has willingly invited a neighboring sovereign government to have a say in the administration of a territory over which it claims jurisdiction.

If I may cite an example for you, it is as though the United States government were to invite the government of Mexico to have a say with regard to the administrative and practical arrangements which would have application for the Hispanic community right across the border in the United States. So this is an historic development, but it is also a very necessary development, because for a period of more than sixty years the minority community in Northern Ireland felt excluded from the institutions of government. As a result of this agreement, you will now have a situation in which the Irish government will be a partner in a committee of two to consider the proposals for the policy to be pursued in relation to Northern Ireland. So this is an historic agreement, it is an historic role for the Irish government, and that role will ensure that the interests of the two traditions in Ireland, the Nationalist com-

munity and the Unionist tradition, that these are both fully respected and reflected in the decisions being made in Northern Ireland. The agreement, we are convinced, will make a significant difference and improve the circumstances of the entire community of Northern Ireland.

My government proposed to operate the agreement firmly and assiduously, but, also, with sensitivity. We wanted the agreement to work for all the people of Northern Ireland since we regard them all with equal respect. Above all, we want to be able to build on the agreement, to build peace, to build reconciliation, and through that process to build progress.

To date, we have been especially encouraged by the welcome which this agreement has received, particularly here in the United States where your President has supported the agreement, and it has also been supported by the leadership in both of the Houses of Congress.

Indeed, I am delighted to be able to report to you that a resolution was adopted yesterday in the House of Representatives, which provides not only support for the agreement but a commitment to devote financial aid to Northern Ireland over the coming three years. I am informed by my Embassy in Washington that that resolution will be carried today in the Senate unanimously, so that we can look with confidence to 1986 that the United States Congress will vote financial assistance to underpin the achievements of this agreement.

I would like to avail myself of this opportunity to ask you and through you, your constituents, your supporters, to join with us in supporting democracy, in supporting the democratic institutions which underpin this agreement, because I know that you, too, would wish to be associated with something which I think in years to come we will be able to look back and say has contributed to peace and reconciliation in Ireland, and to setting an example for other trouble spots around the globe.

Mr. President, Senators, I thank you very much, indeed, for this opportunity to address you today and, in conclusion, I would like to convey to you greetings from the President of the Irish Senate, whom I was speaking to last week, and the Membership of that House as well. Thank you very much, indeed, for the opportunity to talk to you.

(Applause.)

RECESS

Senator LOEPER. Mr. President, I request a recess of the Senate for the purpose of holding a Republican caucus and a Democratic caucus.

The PRESIDENT pro tempore. Are there any objections? The Chair hears no objection, and declares a recess of the Senate.

AFTER RECESS

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

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would request a temporary Capitol leave on behalf of Senator Fisher and a legislative leave on behalf of Senator Rhoades who is meeting with constituents on various legislative matters.

The PRESIDENT pro tempore. Senator Loeper has requested a legislative leave for Senator Rhoades and a temporary Capitol leave for Senator Fisher. The Chair hears no objection. The leaves are granted.

Senator MELLOW. Mr. President, I would also like to request a temporary Capitol leave for Senator Musto who, it was just indicated by Senator Loeper, is meeting with Senator Fisher.

The PRESIDENT pro tempore. Senator Mellow has requested a temporary Capitol leave for Senator Musto who, with Senator Fisher, is working on a report of a Committee of Conference. The Chair hears no objection. That leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 615 (Pr. No. 1593) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the metering of electricity supplied to volunteer fire companies and nonprofit senior citizen centers; and prohibiting the use of coal mined in foreign countries by certain utilities.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 615.

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—48

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1052 (Pr. No. 1630) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the insurability of downhill ski area operators for punitive damages for unintentional tortious conduct.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1052.

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

LEGISLATIVE LEAVE

Senator LINCOLN. Mr. President, I request a temporary Capitol leave for Senator Zemprelli.

The PRESIDENT pro tempore. Before we take a roll call, Senator Lincoln requests a temporary Capitol leave for Senator Zemprelli. The Chair hears no objection. The leave is granted.

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

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

YEAS—48

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

SB 1103 (Pr. No. 1655) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 22, 1970 (P. L. 378, No. 122), entitled "Nursing Home Administrators License Act," providing for the reestablishment and continuation of the State Board of Examiners of Nursing Home Administrators, for temporary and automatic suspensions of licenses, for reporting of multiple licensure, for civil penalties and for reports; further providing for the terms of office, meetings and compensation of members, for injunctions, for powers and duties of the board, for subpoenas, for examinations, for licenses, for suspension of licenses, for disciplinary proceedings and for restoration of licenses and registrations; providing for the fixing of fees; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1103.

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—48

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

SB 1114 (Pr. No. 1656) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 2, 1956 (1955 P. L. 1206, No. 375), entitled, as reenacted and amended, "Podiatry Act of 1956," reestablishing the State Board of Podiatry Examiners as the State Board of Podiatry; providing for its composition, powers and duties; changing provisions relating to the issuance of licenses and the suspension and revocation of licenses; providing for fees; providing for penalties; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1114.

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—48

Andrezeski	Hess	Madigan	Salvatore
Armstrong	Holl	Mellow	Scanlon
Bell	Hopper	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton

Early	Kratzer	Peterson	Stout
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	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 inform the House of Representatives accordingly.

SB 1115 (Pr. No. 1657) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 5, 1978 (P. L. 1109, No. 261), entitled "Osteopathic Medical Practice Act," reestablishing the State Board of Osteopathic Medical Examiners as the State Board of Osteopathic Medicine; providing for its composition, powers and duties; changing provisions relating to the issuance of licenses and the suspension and revocation of licenses; providing for fees; providing for penalties; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1115.

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—48

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

SB 1116 (Pr. No. 1658) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P. L. 317, No. 69), entitled, as amended, "The Professional Nursing Law," reestablishing the State Board of Nurse Examiners as the State Board of Nursing; providing for its composition, powers and duties; changing provisions relating to the issuance of licenses and the suspension and revocation of licenses; providing for fees; providing for penalties; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1116.

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—48

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

SB 1117 (Pr. No. 1659) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 2, 1956 (1955 P. L. 1211, No. 376), entitled "Practical Nurse Law," further providing for the practice of practical nursing; changing provisions relating to the issuance of licenses and the suspension and revocation of licenses; providing for fees; providing for penalties; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1117.

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—48

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

THIRD CONSIDERATION CALENDAR

**NONPREFERRED APPROPRIATION BILL
OVER IN ORDER TEMPORARILY**

HB 1289 — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

BILLS OVER IN ORDER

HB 66 and 307 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 316 (Pr. No. 2622) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), known as the "State Highway Law," authorizing municipalities to perform certain work on State highways within municipal boundaries; providing relief for tort liability for such work; and authorizing certain payments and reimbursements.

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

HB 568 (Pr. No. 2491) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1980 (P. L. 1203, No. 222), known as the "Building Energy Conservation Act," changing and adding certain definitions; providing for notice to public utilities and utility providers; creating a special account; and further providing for application of energy standards, for certification, for notice to the department, for penalties and for variances.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 7, by striking out "special" and inserting: restricted

Amend Sec. 3 (Sec. 306), page 7, line 25, by striking out "Special" and inserting: Restricted

Amend Sec. 3 (Sec. 306), page 7, line 26, by striking out "special" and inserting: restricted

On the question,

Will the Senate agree to the amendment?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Loeper.

The PRESIDENT pro tempore. Will the gentleman from Delaware, Senator Loeper, permit himself to be interrogated? Senator LOEPER. I will, Mr. President.

Senator KELLEY. Mr. President, I wish a brief explanation of the amendment.

Senator LOEPER. Mr. President, basically, what this does is to amend the language that would strike out "special account" and insert "restricted account." The way the bill is written, there is no such thing as a special account, and this would put corrective language in the bill.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. Without objection, House Bill No. 568 will go over, as amended.

BILL OVER IN ORDER

HB 677 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AMENDED

HB 696 (Pr. No. 2608) — 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," further providing for an information statement for terminated employees and for the tax on real estate transfers.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 11, by striking out "AND FOR" and inserting: ; and excluding certain transfers from

Amend Sec. 2 (Sec. 1101-C), page 3, line 13, by inserting after "TO": or from

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator WILT.

**BILL ON THIRD CONSIDERATION,
DEFEATED ON FINAL PASSAGE**

SB 757 (Pr. No. 1642) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," prohibiting the receipt of certain gifts by board members and employees; establishing a private wine system; and imposing a tax.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER. Mr. President, I request that Senate Bill No. 757 go over in its order.

Senator PECORA. Mr. President, I object to Senate Bill No. 757, Printer's No. 1642, going over.

Senator LOEPER. Mr. President, I move that Senate Bill No. 757, Printer's No. 1642, go over in its order.

The PRESIDENT pro tempore. Senator Loeper moves that Senate Bill No. 757 go over in its order. The Chair admonishes the gentleman that there is limited debate on the motion.

On the question,

Will the Senate agree to the motion?

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

The PRESIDENT pro tempore. The Senate will be at ease. (The Senate was at ease.)

RECESS

The PRESIDENT pro tempore. The Senate will stand in recess for five minutes for the purpose of a Democratic caucus.

AFTER RECESS

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

And the question recurring,

Will the Senate agree to the motion?

Senator LINCOLN. Mr. President, it gets a little difficult sometimes to follow what is taking place. I thought I heard the Chair say that the gentleman from Delaware, Senator Loeper, moved that Senate Bill No. 757 would go over in its order.

The PRESIDENT pro tempore. That is exactly what I said.

Senator LINCOLN. Mr. President, is the objection to going over still in place?

The PRESIDENT pro tempore. It is superseded by the motion.

Senator LINCOLN. Mr. President, that the gentleman from Allegheny, Senator Pecora, made prior to our brief recess?

The PRESIDENT pro tempore. It is superseded by the motion.

Senator LINCOLN. Mr. President, we are at the same place we were prior to the recess?

The PRESIDENT pro tempore. As far as I know.

Senator LINCOLN. Mr. President, that is all I wanted to know. I would ask for support for the Pecora objection which means a "no" vote.

Senator LOEPER. Mr. President, I would ask the Members of the Republican caucus for an "aye" vote.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—16

Armstrong	Hess	Lemmond	Rhoades
Brightbill	Holl	Loeper	Shumaker
Fisher	Hopper	Moore	Tilghman
Greenleaf	Jubelirer	Peterson	Wilt

NAYS—31

Andrezeski	Jones	O'Pake	Shaffer
Bell	Kratzer	Pecora	Singel
Bodack	Lewis	Reibman	Stapleton
Corman	Lincoln	Rocks	Stout
Early	Lynch	Romanelli	Wenger
Fumo	Madigan	Ross	Williams
Hankins	Mellow	Salvatore	Zemprelli
Helfrick	Musto	Scanlon	

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. The Chair recognizes on the floor the presence of Senator Musto and his temporary Capitol leave will be cancelled. The Chair also recognizes the presence of Senator Fisher and Senator Williams and their temporary Capitol leaves will also be cancelled.

And the question recurring,

Will the Senate agree to the bill on third consideration?

RECESS

Senator LOEPER. I request a recess of the Senate for the purpose of a caucus in the Rules Committee room at the rear of the Senate Chamber.

The PRESIDENT pro tempore. Senator Loeper requests a recess of the Senate for the purpose of a caucus in the Rules Committee room at the rear of the Senate Chamber. For that purpose, the Senate will stand in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE CANCELLED

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

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

It was agreed to.

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

On the question,
Shall the bill pass finally?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Greenleaf.

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

Senator GREENLEAF. I will, Mr. President.

Senator KELLEY. Mr. President, referring to page 11, line 8, in description of the private wholesale wine licensees, it indicates that in addition to other requirements to qualify for a private wholesale wine license the applicant must be either a corporation, partnership or cooperative warehouse, et cetera, et cetera, et cetera. What is contemplated by the cooperative warehouse, and is there in contemplation such a function now involved in the sale and distribution of warehousing of spirits or wine in the Commonwealth?

Senator GREENLEAF. Mr. President, my understanding is a cooperative warehouse is one that consists of individuals, partnerships, corporations that are joining in a business venture for a warehouse. I would also like to point out that this is primarily the amendment of the gentleman from Allegheny, Senator Fisher, and he may have some additional comments in regard to that inquiry.

Senator KELLEY. Mr. President, in my contemplation of legal definitions of legal entities, a cooperative is a business organization that is owned by the participating persons in that operation, and if that is the contemplation as embraced in this bill, that is a departure at least as far as the ability to control the persons and review the persons' qualifications who would be interested in such a cooperative. If that is what the gentleman contemplates, then I would like to have a clear expression of that for the legislative history.

Senator GREENLEAF. Mr. President, my understanding is the same as his in regard to cooperative efforts and in regard to different entities. There may be a variation in the percentage of ownership in the cooperation, but it is a group of individuals—corporate, partnership, individuals—who are engaged in the common purpose.

Senator KELLEY. Mr. President, that is not the definition, as I understand it, that the gentleman just gave of individuals, partnerships or corporations engaged together. That is not what I comprehend to be the technical meaning of the cooper-

ative. The cooperative is one that those who utilize and purchase benefit from the proceeds therefrom, and they all participate in the internal operations. I think the best example of that are the farmers in farm cooperatives or cooperative markets where they do the same thing. The people who make purchases get entitlements to participate in that management and the pecuniary benefits that are derived from it. If that is the case, this is a very serious departure from the traditional standards presently and as we contemplate them to be about the licensure and identification of persons who would be responsible for and beneficiaries of any of the profits from the operation. If that is the case, Mr. President, I would like to have that clearly understood.

Senator GREENLEAF. I believe I have answered the question as best I can, Mr. President.

PARLIAMENTARY INQUIRY

Senator KELLEY. Mr. President, because of the doubt that exists, I respectfully would say that additional scrutiny is needed of this bill, and I would respectfully move for a point of parliamentary inquiry.

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

Senator KELLEY. Mr. President, as I understand it, two successive motions for the same procedural action are not in order unless there is an intervening accomplishment on that proceeding, is that correct, Mr. President?

The PRESIDENT pro tempore. You are correct, Senator, except there has been intervening parliamentary action.

Senator KELLEY. I understand, Mr. President, but we have gone from third consideration to final passage, is that correct, Mr. President?

The PRESIDENT pro tempore. That is correct.

Senator KELLEY. Mr. President, that would justify then a motion to go over the bill?

The PRESIDENT pro tempore. That is correct.

MOTION FOR BILL OVER IN ORDER

Senator KELLEY. I so move, Mr. President, on the basis of which I established, that there is serious doubt about the severity and extension to which we are now involving ourselves about the cooperative aspects as far as the wholesale wine licenses are concerned. It must be cleared. It is something that we should not be doing hastily, and I think it is a very dangerous thing for us to proceed until that is clarified.

The PRESIDENT pro tempore. As I understand the gentleman's motion, he moves that the bill go over on final passage. Is that the motion he made?

Senator KELLEY. That is correct, Mr. President.

The PRESIDENT pro tempore. That motion would be in order.

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

Senator PECORA. Mr. President, I oppose that motion.

Senator LINCOLN. Mr. President, I also would oppose that motion and ask for a "no" vote.

Senator LOEPER. Mr. President, I would ask for a "no" vote on that motion.

The PRESIDENT pro tempore. Would Senator Kelley accept a voice vote or do you wish a roll call?

Senator KELLEY. Mr. President, not having been present at the last vote, and I believe I understand, obviously, since we are still proceeding, it did not prevail, and if there is no change of heart, then I am perfectly willing not to delay the actions any more than I have by my verbalizations.

The PRESIDENT pro tempore. Do you want to withdraw the motion, Senator, or do you want a vote on it?

Senator KELLEY. A voice vote is adequate, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative, and the motion was defeated.

And the question recurring,

Shall the bill pass finally?

Senator FISHER. Mr. President, I rise in support of Senate Bill No. 757. This is a bill which itself was the subject of much debate before the Senate Committee on Law and Justice last week. It contains a subject that is not foreign to the Members of the Senate or to the people of Pennsylvania. It has been one that has been debated for many years, not only in this Chamber and the other Chamber, but all over the Commonwealth.

Contained within Senate Bill No. 757 is a proposal which I introduced in the Committee on Law and Justice amending the original bill which, I believe, dealt and still deals with the legalization of the sale of wine coolers in beer distributors across the Commonwealth, something that consumers of this Commonwealth have also been after and that particular part of the industry has been supportive of. This legislation which is before the Senate, in addition to the wine cooler provision, provides that certain licensees across the Commonwealth, specifically food stores and private wine stores, would be licensed by the Pennsylvania Liquor Control Board for the sale of wine. In addition thereto, there would be, in conjunction with the present wholesale system operated by the Pennsylvania Liquor Control Board, a private wholesale system. This proposal is one which has been advanced by me with the support of others, which we believe is, at least, an alternative and gives the people of Pennsylvania an alternative to the current State store monopoly. I want to emphasize that this proposal does not mean that the State store system as we know it will no longer sell wine in the State store. They will continue to sell wine in the State stores of Pennsylvania to those people who desire to purchase their wine there, but one of the constant complaints which I have received—and I have been involved with legislation which would call for the divestiture of the State store system ever since I was first elected to the House of Representatives eleven years ago—from the people in western Pennsylvania is about the selection and the availability of wine in this state. I think when you get right down to it, more people complain about the wine and the sale of wine in the

State store system than they do of hard liquor. This system, as is proposed in Senate Bill No. 757, would simply put Pennsylvania in line with, I believe, forty-eight other states.

As of right now only two states, Pennsylvania and the great State of Utah, do not permit in one fashion or another the private sale of wine or the private sale of liquor in the private sector. What we are saying in this bill is when the people of Pennsylvania go to their grocery store, if they go to a grocery store with annual sales in excess of \$500,000 and a store with the square footage in excess of 1,500 square feet, they may be able to do some one-stop shopping. They may be able to go and they will be able to select table wine, wine for dinner, wine for their friends when they are doing their grocery shopping. This is not such a dramatic change. I have been in many other states in this country where you do just that. We are not advocating in this proposal that there will no longer be a State store system. We are not advocating that when you go to shop in the grocery store that you are going to be able to buy beer, because I think all of us unanimously support the present system, which is a private enterprise system, which brings the delivery of beer through beer distributors in this Commonwealth, privately licensed beer distributors, people who are outstanding citizens in all our communities, a system that has existed since the late 1930's, and it is one that I do not see anybody trying to rip apart here. But what we are saying is when you go to the grocery store, you will be able to select some wine. I do not believe this is a dramatic change in the law of Pennsylvania. Neither do I believe this will bring a dramatic change in the drinking habits of the people of Pennsylvania. Many people have said it is going to mean increased sales in Pennsylvania. Yes, I believe it will mean increased sales of wine in Pennsylvania, but I do not believe it is going to mean increased consumption in the Commonwealth of Pennsylvania. Why do I say that? How can you say there is going to be increased sales and not increased consumption? Any of the statistics that have been compiled and are available—I have them in my file here, I am sure every Member of the Senate has looked at them—clearly indicate that when you compare per capita sales in this Commonwealth with per capita sales in all other neighboring states, that per capita sales in Pennsylvania are substantially below the sales in neighboring states. In fact, that is the only way I know of that any of the people who have studied this issue can attempt to study consumption. But I firmly believe, and I think everyone very well knows this, the reason sales are down in the Commonwealth is that many of the people in this Commonwealth when they are out of state, or those who live near the border of Pennsylvania and Maryland, or the border of Pennsylvania and New York, or one of the other borders, may choose to buy some liquor and some wine. Yes, all of our constituents every once in a while apparently do that, and they bring it into the state. What we are saying is no longer are you going to have those casual purchases. You are also not going to have the rum runs that apparently some people do in rather large quantities, particularly around the Maryland border, because you are going to have more availability, you are going

to have more selections, and you are going to attempt to appease the consumer interests in the wine industry, the people who want to go out and have a better selection of wine, by having this wine product available in our supermarkets.

I cannot find anything offensive with this. Maybe not surprisingly, but I had this issue on a poll which I conducted this summer in my Senatorial district. I also had the issue of total divestiture on that poll. I think the question was stated on both issues rather straightforward. On the wine issue, the question very simply said, would you support the sale of wine in the grocery stores? Somebody could say—and I will anticipate their questions and their comments—that if I said or if I added on that if that even meant the loss of revenue or if it meant more intoxication, but the question as it was stated was very straightforward and simple. We had over 6,000 responses from the people in that district. Of the 6,000 people who responded, 78 percent said they support the sale of wine in the grocery stores in Pennsylvania. Eighty percent said they support the elimination of the State store system, but 78 percent of the 6,000 people who responded, in essence, support this proposal. I think this proposal has support not only in my district—I do not believe my district is that much different than many other districts across this Commonwealth, sure there are differences and I recognize that—but I believe the people of Pennsylvania support this. The people of Pennsylvania, the consumers of Pennsylvania recognize what is available in other states and recognize what is not available here.

The allegation has been made, and I am certain it will probably be made here before we finish, that if we sell wine in the grocery stores, that is going to mean more alcoholism in Pennsylvania, more intoxication in Pennsylvania and more drunk driving in Pennsylvania. Those are allegations of which we cannot be certain. We do not know what the result of that is. How can we try to come to a conclusion as to whether those allegations are correct or incorrect? Let us look at the statistics. The statistics are likewise available to all of the Members. In reading those statistics, in my opinion those statistics are clear. When you compare Pennsylvania with any other state that sells wine in either grocery stores or in any other segment of private industry, the incidence of drunk driving per capita, the incidence of alcohol-related accidents per capita, are no higher than they are in Pennsylvania where we have a control state. In fact, in a couple of those states the percentages are lower. I believe that for those people who are going to overimbibe in alcohol and for those teenagers who are going to purchase and acquire alcohol that they should not acquire, they are going to acquire it no matter what we do to regulate a system in this state. By putting wine in the grocery store, I do not believe that you can necessarily argue that, therefore, it is going to be more available.

Let me go a step further. I have thought at some length about the grocery store proposition. I think, obviously, all of us have spent a substantial amount of time in grocery stores, some more than others. I am fortunate my wife does most of the shopping, but every once in a while I get roped into going

too. Every time I go to the grocery store I see not only my neighbors, I see their kids. The people know the clerks, the clerks know the customers, it is in broad daylight, it is well lit. If a kid in Pennsylvania wants to go out and purchase or acquire an alcoholic beverage, I would submit that the last place he is going to go is his local grocery store where, one, his mother's friend is going to be there shopping, his father might be there, his father's friend might be shopping, or one of the clerks is somebody he or she knows. I suggest to you that by us placing wine in the grocery store has no relationship to the incidence of drunken driving, teenage alcoholism, and I suggest it is the right thing for the people of Pennsylvania, and I suggest it is the right thing for the Members of the Senate to consider.

Mr. President, in summation, I probably said more than I intended to say. In fact, I did not intend to say anything on this today. I was not aware that the bill was going to come up. But, be that as it may, we have before us an opportunity to move the Commonwealth of Pennsylvania into the twenty-first century for the consumers of this Commonwealth. I believe this proposal is a sound proposal. I believe the proposal is one that there is enough protection in here. If a person who is a private licensee is caught selling wine to an underage drinker, the first conviction will result in the loss of the license for ninety days. The second conviction will result in the loss of the license for one year. The third conviction will result in the revocation of that license. I do not think that is something the people in the grocery business, in the food business, who try so hard to convey a good image to the people of this Commonwealth, want to see. I do not think they are going to want to see a sign posted in their front window, under suspension for ninety days for sales to minors. As a consequence, I think this bill is a bill that we should pass. It is a bill that I believe is the right thing for the Commonwealth in 1985, and I would respectfully urge your affirmative support.

Senator PECORA. Mr. President, I have some statistics here from the National Highway Traffic Safety Administration publication. It pertains to the availability of alcoholic beverages, one of which is wine. In the statistics, the results of their study were that seventy-three people are killed each day because of drunk driving; 500 people are killed each week, 26,000 people are killed each year. In the last ten years, over 250,000 people have died, Mr. President. We have an obligation to the parents of these people because the majority of the people killed were young people who somehow or other did not control their drinking ability. We are responsible to protect the lives of people in this Commonwealth because we owe it to them. They voted for us to do this.

A few weeks ago, there was legislation before us mandating seat belts for Pennsylvania drivers. Statements were made that it would keep the cost of insurance down, it would keep the cost of hospitalization down, it would keep the cost of everything down. I opposed that legislation because we were mandating legislation that I felt was in contrast with the air bag law because I would prefer air bags. I feel, why should we mandate seat belts.

When we assume more availability for alcoholic beverages, we are making a drastic mistake in this Commonwealth. Thirty-six percent of all pedestrians had accidents last year who were involved because the driver was under the influence of alcohol. Of every 2,000 drunk drivers, only one is arrested. The chance of receiving a serious penalty is insignificant. The courts do not give them the penalties that we mandate by law. For Americans up to age thirty-five, the number one cause of death is motor vehicle accidents, and more than half of highway deaths are caused by drunk drivers.

Mr. President, I ask that this legislation be voted in opposition to so we can protect the youth of our Commonwealth. I feel they are the top priority because they are the future of this Commonwealth.

Senator ARMSTRONG. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Fisher.

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

Senator FISHER. I will, Mr. President.

Senator ARMSTRONG. Mr. President, in the grocery store, how old do the employees of the grocery store have to be?

Senator FISHER. Mr. President, the requirement in the bill is that an employee would be required to be eighteen years of age or older to sell wine in a grocery store.

Senator ARMSTRONG. Mr. President, do you not have to be twenty-one years of age to buy wine in Pennsylvania now?

Senator FISHER. That is correct, Mr. President.

Senator ARMSTRONG. Mr. President, my thinking is that if there is an outlet, a 7-Eleven type store, and there is an eighteen year old working in there and a friend of his comes in, it would be very, very tempting for that person to sell him a bottle of wine or several bottles of wine.

Senator FISHER. Mr. President, is that a question?

Senator ARMSTRONG. Yes, Mr. President.

The PRESIDENT pro tempore. He is asking that rhetorically, Senator Fisher.

Senator ARMSTRONG. Mr. President, would that not be tempting for an eighteen year old to sell wine to a friend of his who is under twenty-one years of age?

Senator FISHER. Mr. President, it may be tempting, but I think the provisions in the law which have penalties contained therein may be enough to deter that person from selling the wine, plus the probable loss of a job would certainly be a deterrent. In addition thereto, there would be no one better to know the age of the person than the friend who is a similar age. I would hope that a person eighteen years of age, if he wanted to keep his job, would not engage in that conduct.

Senator ARMSTRONG. Mr. President, so the only penalty that the eighteen year old employee would have would be the loss of his job? That person would not be faced with a fine or anything else?

Senator FISHER. Mr. President, I believe under the Liquor Code, the sale to a minor is an offense for the person who would actually sell it, and that same penalty would exist, whether the person was eighteen or thirty-eight years old.

Senator BELL. Mr. President, I am not going to prolong this debate because I did my bit yesterday with the other bills the gentleman from Montgomery, Senator Greenleaf, had presented, and I do not see any improvement in this one. I do not see any quota on how many wine stores there would be. I do not see in there that wine stores will have to be closed on Sundays or that they cannot run twenty-four hours a day. I want to add this to what I did say yesterday. Since I was on the floor yesterday, I talked to one of my staffers in the county, and I have wine and booze stores in Delaware within about 100 yards of my district. I was told by a parent who knows what teenagers do when they readily can get booze and wine from the private stores in Delaware, and they get away with it. I also am remembering what happened with the collection of taxes, and you have some real whips in here as far as these food merchants selling \$50 million worth a year to get wholesale licenses.

You know, over here towards Carlisle they had a big motor truck fuel point, and they collected fuel tax on their diesel, and they went bankrupt. We have not gotten that fuel tax yet. When you have private stores and they are collecting the booze tax as agents for the Commonwealth and they go broke, I think there is a loss to the Commonwealth. I did not bring those up before. I am not going to prolong this thing, but I think this bill is just as bad as the one we had yesterday.

Senator FISHER. Mr. President, just briefly in regard to something the gentleman from Delaware, Senator Bell, said, I intended to mention it in my initial comments. Although the bill does not provide for the hours of operation, the bill does say that the Liquor Control Board must allow the private stores to be open the same hours that the State stores are open, but it also says that the Liquor Control Board can place limits on closing hours after that. It is likely the Liquor Control Board certainly would require that the private stores would be closed at night and on Sunday, but that is in the bill, and it gives the Liquor Control Board the discretion to set those hours. I want to clarify that for the gentleman and for any other Members who may be concerned about that issue.

Senator KELLEY. Mr. President, I have heard a lot of arguments on both sides here today on the issue of wine in grocery stores. The one statistic that stands out is really that if you take the average consumption versus sales, because the only way we know it is by sales per population, and if we take the national average and we compare that with the State of Hawaii, which would be the one that could not be infringed upon its average, you find Hawaii is very close to the national average in the sales and therefore, theoretically, consumptions. The question then is, where is Pennsylvania in relation to that average? We are far below in both spirits and wine. Historically and immediately, wine sales have increased because of the increased sophistication or ability, you may say, of the people to consume with tolerance. Mr. President, we tried protecting all the things the gentleman from Allegheny, Senator Pecora, said, and all the hypothetical assertions that the gentleman from Delaware, Senator Bell, said. We tried all that in this country, and we had more deaths and

we had more crime related to that prohibition era, and so we ought to go the other way. The question now is whether or not we live in a free country. What is wrong? Is it not illegal to consume alcoholic beverages? It is part of public policy to do it. The state runs the system. Our sister states in other parts of this country primarily do it through a private system. All we are asking is the opportunity for our citizens to have it more freely, readily available for them to purchase, and more convenient. It is a free country. It is a free country that started in the Commonwealth of Pennsylvania and we are the most regressive in the people being able to have a libation.

You know, when we treat something for the people and talk about the people, let us not discolor the issue by talking about alcoholism, because the facts and figures do not jive in support of what we are saying they do. As a matter of practicality, all we are saying is we do not have any proof at all. In fact, it is to the contrary that we have any higher or greater incidence of alcoholism, underage drinking, driving under the influence between a control state and a free state as far as the sale and distribution of alcoholic beverages are concerned. Consequently, why should we continue to penalize with inconvenience to our citizens on buying a little bit of spirits for them to have?

I suppose, Mr. President, there is another way to look at it. Lord knows, we in government cause enough justification for our people to be frustrated. The least we could do is make it convenient for them to have a little libation to get over the problem. I urge an affirmative vote, Mr. President.

Senator PECORA. Mr. President, since the State of Iowa was taken into the conversation here on the Senate floor, I have the statistics from July 1985 in Iowa. There was an important change in Iowa when the legislation legalized the sale of wine in grocery stores. Iowa was a State store liquor system and, prior to July, wine could be purchased only during regular sale hours in State stores. In July 1984 there were a total of forty traffic fatalities in Iowa. By 1985 the total rose, for July, to sixty-seven. They are not basing that on the private store sales, but they are making that assumption. As for the amount of wine sold in Iowa in 1985, the State store sold sixty gallons of wine. The previous year, July 1984, they sold 148 gallons. At the same time, private sellers bought 203,000 gallons of wine. So, that was a tremendous increase in the wine consumption in Iowa.

There is one thing I did not bring attention to. In some of the comments I made earlier, 44 percent of all night time fatal alcoholic-related crashes were caused by the sixteen to twenty-four year old age group. That is why I referred to protecting the children in this Commonwealth. Drinking drivers cost the American taxpayers \$4 billion to \$6 billion a year. The money does not interest me, but the lives of the children do, and that is why I feel this type of legislation I could never support in Pennsylvania.

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—7

Fisher
Greenleaf

Hopper
Kelley

Lewis
Musto

Tilghman

NAYS—41

Andrezeski
Armstrong
Bell
Bodack
Brightbill
Corman
Early
Fumo
Hankins
Helfrick
Hess

Holl
Jones
Jubelirer
Kratzer
Lemmond
Lincoln
Loeper
Lynch
Madigan
Mellow

Moore
O'Pake
Pecora
Peterson
Reibman
Rhoades
Rocks
Romanelli
Ross
Salvatore

Scanlon
Shaffer
Shumaker
Singel
Stapleton
Stout
Wenger
Williams
Wilt
Zemprelli

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

CONSIDERATION OF SUNSET REVIEW RESOLUTION NO. 13

Senator ZEMPRELLI. Mr. President, I call up as a special order of business and ask for the immediate consideration of Sunset Review Resolution No. 13.

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

The PRESIDENT pro tempore. The Senate will be at ease.
(The Senate was at ease.)

The PRESIDENT pro tempore. Does Senator Zemprelli wish to offer a motion?

Senator ZEMPRELLI. Mr. President, as I understand it, I already did.

The PRESIDENT pro tempore. No, you did not, Senator. You made a request.

Senator ZEMPRELLI. I am sorry, Mr. President. I move that we consider Sunset Review Resolution No. 13 as a special order of business and ask for its immediate consideration.

The PRESIDENT pro tempore. Senator Zemprelli moves that Sunset Review Resolution No. 13 be made a special order of business and calls it before the Senate.

The Senate proceeded to consideration of the resolution, entitled:

Continuing existence of the Pennsylvania Liquor Control Board scheduled for termination under the Sunset Act.

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

Senator LOEPER. Mr. President, I would oppose the motion to call up Sunset Review Resolution No. 13.

Senator ZEMPRELLI. Mr. President, may we have a roll call vote, please?

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

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

YEAS—22

Andrezeski	Lewis	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	Loeper	Salvatore
Bell	Holl	Madigan	Shaffer
Brightbill	Hopper	Moore	Shumaker
Corman	Jubelirer	Pecora	Tilghman
Fisher	Kelley	Peterson	Wenger
Greenleaf	Kratzer	Rhoades	Wilt
Helfrick	Lemmond		

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

THIRD CONSIDERATION CALENDAR RESUMED

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 808 (Pr. No. 2623) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for certain annual assessments; and increasing the millage rates for certain taxes in counties of the second class.

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

NAYS—2

Early 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 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.

BILLS OVER IN ORDER

HB 971, 1000 and **SB 1075** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I would like to request temporary legislative leaves for Senator Lewis and Senator Zemprelli.

The PRESIDENT pro tempore. Senator Lincoln requests temporary Capitol leaves for Senator Zemprelli and Senator Lewis. The Chair hears no objection. The leaves are granted.

Senator LOEPER. Mr. President, I would request a temporary Capitol leave on behalf of Senator Pecora who has been called to his office.

The PRESIDENT pro tempore. Senator Loeper requests a temporary Capitol leave for Senator Pecora. The Chair hears no objection. The leave is enthusiastically granted.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AMENDED

SB 1192 (Pr. No. 1535) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing leases in State parks.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 21, by removing the period after "parks" and inserting: and State forest land.

Amend Bill, page 1, by inserting between lines 23 and 24:

Section 1. Section 1903-A(1) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, amended July 11, 1985 (P.L.232, No.57), is amended to read:

Section 1903-A. Forest Powers; Lease of Small Areas of State Forests.—The Department of Environmental Resources shall have the power:

(1) To lease, for a period not exceeding ten years, on such terms and conditions as it may consider reasonable, to any person, corporation, association, church organization, or school board, of Pennsylvania, such portion of any State forest, whether owned or leased by the Commonwealth, as the department may deem suitable, as a site for buildings and facilities to be used by such person, corporation, association, church organization, or school board for health and recreation, or as a site for a church or school purposes: Provided, however, That the department may, with the approval of the Governor, if a substantial capital investment is involved and if it is deemed in the best interests of the Commonwealth, enter into such leases for a period not to exceed thirty-five years. The department shall not terminate the lease of

a person whose cabin has been destroyed or seriously damaged by vandalism or by fire, storm, flood or other natural causes and shall permit the rebuilding of such cabin. The department shall permit persons holding leases to renovate or make additions to existing cabins with the approval of the department.

Amend Sec. 1, page 1, line 24, by striking out "1" and inserting: 2

Amend Sec. 1, page 1, line 24, by inserting a comma after "act"

Amend Sec. 1, page 1, lines 24 and 25, by striking out "of April 9, 1929" in line 24 and all of line 25

Amend Sec. 1 (Sec. 1906-A), page 2, line 16, by inserting after "by": vandalism or by

Amend Sec. 2, page 2, line 22, by striking out "2" and inserting: 3

On the question,

Will the Senate agree to the amendment?

Senator RHOADES. Mr. President, we have passed two bills, one which deals with any cabin which has been destroyed by fire or ruined, and through DER state parks and state forest lands, when they are destroyed, we are saying to DER, you cannot get rid of the cabin or terminate the lease. One of the items that was included in other pieces of legislation that we had heretofore included vandalism. What I am doing here with this amendment is adding vandalism to the other causes for which property has been destroyed in saying that the lease cannot be terminated because of such.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. Senate Bill No. 1192 will go over, as amended.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1207 (Pr. No. 1686) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, transferring and changing provisions relating to the State Veterans' Commission.

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

Table with 4 columns: Andrezeski, Armstrong, Bell, Bodack, Brightbill, Corman, Early, Fisher, Hess, Holl, Hopper, Jones, Jubelirer, Kelley, Kratzer, Lemmond, Madigan, Mellow, Moore, Musto, O'Pake, Pecora, Peterson, Reibman, Salvatore, Scanlon, Shaffer, Shumaker, Singel, Stapleton, Stout, Tilghman

Table with 4 columns: Fumo, Greenleaf, Hankins, Helfrick, Lewis, Lincoln, Loeper, Lynch, Rhoades, Rocks, Romanelli, Ross, Wenger, Williams, Wilt, 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.

SB 1210 (Pr. No. 1687) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 21, 1963 (P. L. 174, No. 104), entitled, as amended, "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof who are blind, paraplegic, have suffered the loss of two or more limbs as a result of military service or have a one hundred per cent permanent disability;...." extending the act to include the unmarried surviving spouse of an eligible veteran; and making editorial changes.

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

Table with 4 columns: Andrezeski, Armstrong, Bell, Bodack, Brightbill, Corman, Early, Fisher, Fumo, Greenleaf, Hankins, Helfrick, Hess, Holl, Hopper, Jones, Jubelirer, Kelley, Kratzer, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Moore, Musto, O'Pake, Pecora, Peterson, Reibman, Rhoades, Rocks, Romanelli, Ross, Salvatore, Scanlon, Shaffer, Shumaker, Singel, Stapleton, Stout, Tilghman, Wenger, Williams, Wilt, 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.

BILL OVER IN ORDER

SB 1215 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1335 (Pr. No. 1584) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1984 (P. L. 34, No. 15), known as the "Pennsylvania Municipal Retirement Law," further providing for the payment of administrative expenses.

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	Madigan	Salvatore
Armstrong	Holl	Mellow	Scanlon
Bell	Hopper	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stout
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	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 without amendments.

HB 1289 CALLED UP

HB 1289 (Pr. No. 1530) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator LOEPER.

**NONPREFERRED APPROPRIATION BILL
ON THIRD CONSIDERATION AMENDED**

HB 1289 (Pr. No. 1530) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to Thomas Jefferson University of Philadelphia, Pennsylvania, for the Children's Heart Hospital, Philadelphia, Pennsylvania.

Considered the third time,

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

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

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting:

Providing for the establishment, implementation and administration of a customized job training program; and imposing additional powers and duties on the Department of Education.

Amend Bill, page 1, lines 6 through 18, by striking out all of said lines and inserting:

Section 1. Short title.

This act shall be known and may be cited as the Customized Job Training Act.

Section 2. Legislative intent.

It is the intent of the General Assembly that a Customized Job Training Program be established to meet the training needs of the State's new and expanding business by enhancing the skills of the workers of this Commonwealth. In so doing, funding shall be

dedicated towards training projects which result in net new full-time employment opportunities, significant wage improvements, the retention of otherwise lost jobs or other conditions which would offer substantial economic benefit to this Commonwealth. Recognizing that many regions of the State remain severely economically distressed, customized job training programs should attempt to meet the special job training needs of these areas.

Section 3. 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:

"Capital investment." An expenditure for land, buildings, renovations, machinery and equipment which is directly related to the need for the proposed training.

"Current employee trainee." An individual who is currently employed by a private company and who is enrolled in a training program designed to enhance that individual's skills and knowledge necessary for that individual to assume a higher level position, or to retrain the individual in order that a job which would have otherwise been lost could be retained.

"Department." The Department of Education of the Commonwealth.

"Dislocated worker." A worker who meets any one of the following conditions:

(1) Has been terminated or laid off, or who has received notice of termination or layoff, and is eligible for or has exhausted unemployment compensation benefits.

(2) Is unlikely to return to the industry or occupation in which the individual was employed.

(3) Has been terminated or received notice of termination as a result of the permanent closure or relocation of a plant, facility or plant operation in which the individual was employed.

(4) Is chronically unemployed.

(5) (i) Has limited opportunities for employment in the geographic area in which the individual resides; or

(ii) Is an individual who may face substantial barriers to employment because of age.

"Displaced homemaker." A person who meets all of the following criteria:

(1) Has worked without pay as a homemaker for his or her family.

(2) Is not adequately employed.

(3) Has had or would have difficulty finding employment.

(4) Has depended on the income of a family member and has lost that income; or is or has been dependent on governmental assistance; or has been the recipient of disability assistance and is no longer eligible.

"Entry level trainee." An individual who is a prospective employee of a private company and is enrolled in a training program designed to enable that individual to obtain and retain an entry-level position, paying at least the currently allowable minimum wage.

"Grant recipient." The local educational agency receiving funding from the department for the purpose of job training.

"Local educational agency." An eligible educational agency as designated by the department. The term includes any of the following Pennsylvania institutions:

(1) Area vocational-technical schools.

(2) Community and junior colleges.

(3) Intermediate units.

(4) Licensed private/proprietary business and trade schools.

(5) Public school districts.

(6) State or private colleges or universities.

(7) State-related universities.

“Net new jobs.” The difference between the number of employees at the end of a training project (employees on the payroll at the relevant private company locations on the date of submission of a job training application plus those employees training and hired) and the peak number of employees at those locations in the 12-month period immediately prior to the submission of the job training application.

“Private company.” Any agricultural, industrial, manufacturing or research and development enterprise or enterprises, as defined in section 3 of the act of May 17, 1956 (1955 P.L.1609, No.537), known as the Pennsylvania Industrial Development Authority Act.

“Public assistance recipient.” A person who has qualified for Federal or State public assistance payments.

“Training program.” A systematic program, generally no longer than six months in duration, designed to provide a trainee with the skills and knowledge necessary to meet a private company’s specifications for a particular occupation or trade, the successful completion of which results in the trainee being employed full time by that private company. Such programs may involve classroom instruction within the agency or within the private company plant, or on-the-job training or any combination thereof.

“Unemployed individual.” A person who has been without a job for a period of four months, who wants to work, and who is available for work.

Section 4. Powers and duties of the Department of Education.

The department shall have sole authority for the establishment, implementation and administration of the Customized Job Training Program. Funds provided through this act shall be used exclusively for training grants to local educational agencies on behalf of private companies either locating, expanding or starting up in Pennsylvania. The department shall be responsible for all of the following:

(1) Promulgate such regulations, develop such forms and institute such procedures as may be necessary to implement this act.

(2) Approve or disapprove any request for grants according to the procedures outlined in this act.

(3) Require such information and records from each local educational agency as it deems necessary.

Section 5. Grant procedure.

(a) Private company commitments.—An application for a grant shall be initiated by a private company which is locating, expanding or upgrading a facility and shall be submitted to a local educational agency.

(b) Eligibility.—A company seeking a grant for customized job training must be able to provide to the department a statement that demonstrates that both the training for which a grant is to be made and State funds are necessary for the location of the private company, creation of jobs, expansion of positions or the preservation of otherwise lost jobs. It is not the intent of the General Assembly to provide a grant to a private company that would have otherwise conducted the training itself.

(c) Grant applications:

(1) The local educational agency shall be responsible for:

(i) Preparing and submitting the application.

(ii) Preparing a detailed outline of the proposed training program in cooperation with the private company.

(iii) Contacting the local Office of Employment Security (OES) and the local county board of assistance, when the application includes plans for training entry-level employees, to solicit referrals of candidates for the training program. The local educational agency shall request written certification from the Office of Employment Security and the local county board of assistance

that there are not unemployed individuals, currently registered, who are adequately trained and available to fill positions for which the private company is seeking training assistance.

(iv) Assuring compliance with the approved contact.

(v) Monitoring in-school, in-plant or on-the-job training programs.

(vi) Preparing and submitting reports as required by the department.

(vii) Maintaining accurate reports to substantiate expenditures.

(2) The private company shall be responsible for:

(i) Establishing criteria for the selection of trainees in consultation with the agency.

(ii) Recruitment of trainees for the entry-level customized job training program in conjunction with the agency, the local Office of Employment Security and the local county board of assistance.

(iii) Determining the number of individuals to be trained for the available entry-level positions. This figure may provide for reasonable attrition during the training period.

(iv) Final selection of trainees.

(v) Reporting to the agency accurate training records and expenditure reports upon which payments can be documented and audits performed. Payments will be based on documented expenditures.

(vi) Selection of individuals from its current workforce to participate in any upgrading course. In making such selection, the private company must assure the local educational agency:

(A) the positions for which employees are being upgraded are positions which are not regularly available to entry-level employees, and for which adequately trained persons are not available within the private company;

(B) the positions for which employees are being upgraded offer higher wages, would have been lost if customized job retraining had not been conducted or are necessary for the company’s competitiveness in the market;

(C) successful completion of the upgrading course will result in continued employment with the private company in the occupation for which the employee is being upgraded; and

(D) a concurrent capital investment will be made which is at least equal to the cost of the proposed training program and directly related to the need for upgrading of positions, or such upgrading will create an equal number of entry-level positions.

Section 6. Training program requirements.

(a) Training plan.—In conjunction with its grant application, each agency shall develop and submit to the department a training plan. Such a training plan shall include:

(1) A statement of the objectives of the training program.

(2) The number of trainees, entry-level and current employees.

(3) A job description for the position to be filled by the trainee and the expected wage earned upon completion of the training program.

(4) A time schedule for the completion of the training program.

(5) A description of the facilities used for training.

(6) Evidence of certification by the Office of Employment Security.

(7) A statement of the evaluation criteria to be used to determine competency achievement or an evaluation of trainees' performance once the training program is completed.

(b) Review of application.—

(1) The department, when reviewing applications for training programs, should carefully consider all other available resources, including, but not limited to, private sector funds, other State or local agency training programs or funds made available under the Job Training Partnership Act (Public Law 97-300, 96 Stat. 1322).

(2) The department shall establish priorities for awarding of grants. After the examination of the potential results of the training proposal, priority shall be given to a training program which serves a community in which the average unemployment rate in the most recently completed calendar year is above the Statewide average unemployment rate for the same period or to a State-designated enterprise zone.

(3) Within 30 days of receipt of its application, the department shall provide each company and local educational agency with a letter outlining the current status of said application. This letter shall include an assessment of the completeness of the application, an estimate of the amount of time required for completion of the review and the application's present location within the process.

Section 7. Contracted services.

(a) Subcontracts.—The local educational agency may subcontract with a participating private company or a nonprofit organization for provision of all or a portion of the services to be provided, and funds may be allocated from the agency to the subcontractor for such purposes.

(b) Compliance.—The agreement for contracted services must include all provisions outlined in section 5(c).

Section 8. Compliance with statutes and collective bargaining agreements.

The department shall require each private company to comply with appropriate State and Federal statutes and regulations governing employment discrimination, minority recruitment, minimum or prevailing wages, work site safety and procurement practices. The department shall require each private company to certify that the training program does not abridge any contractual agreement between the private company and the duly recognized collective bargaining representative of its employees.

Section 9. Funding.

Funding will be provided from an annual appropriation by the General Assembly.

(a) Funding support.—

(1) Customized job training funding for entry level training will be used to support the training costs for net new jobs. Up to 80% of the eligible entry level training costs will be provided except for those private companies which meet one of the conditions of this paragraph, in which case 100% of the eligible entry level training costs will be provided.

(i) A private company locating in this Commonwealth.

(ii) A private company located in this Commonwealth which is in the early stages of start-up and expects to provide a substantial number of net new jobs for the Commonwealth.

(iii) A private company which is seeking to expand and where the entry-level trainees will be at least 20% public assistance recipients, dislocated workers, unemployed individuals or displaced homemakers.

(2) Customized job training funding for eligible upgrade training costs shall normally not exceed 70% of such costs; however, the department may choose to grant exceptions when proposed training is considered to be in the best economic development interests of this Commonwealth. Proposals must show both a concurrent and significant capital

investment at least equal to the amount of the grant requested and directly related to the need for the upgrading of job positions or that the upgrade training will result in the creation of an equal number of entry-level job positions.

(b) Limitations on funding.—

(1) No funds used for training grants awarded under the provisions of this act shall cause the reduction of the work force, the displacement of workers employed by the company prior to the commencement of the training program or cause the violation of any conditions of existing collective bargaining agreement.

(2) No funds appropriated pursuant to this act shall be used for retail job training.

(3) No funds will be used for training which will not result in full-time permanent employment.

(4) Funding for entry-level training shall be provided only to the extent that qualified individuals, as determined by the Office of Employment Security, are not available.

(5) Funds appropriated for training programs under this act are not intended to cause, aid or assist in the relocation of any private company operation from one part of the Commonwealth to another.

(6) No more than 20% of the funds appropriated pursuant to this act shall be granted to projects in any one county.

(c) Reimbursement for training.—The final reimbursement to the local educational agency shall be withheld pending a final program review by the department.

Section 10. Report to the General Assembly.

(a) Reporting.—On or before March 1 following the adoption of this act and in each succeeding year in which grants are made, the department shall provide a report to the Chief Clerk of the House of Representatives and the Secretary of the Senate for distribution to members of the General Assembly for the preceding calendar year. The report shall contain, but not be limited to, the following information:

(1) A list of the approved training programs, including the local educational agency providing the training program, the name of the private company, the cost of the training program, the percentage of the eligible entry level training costs provided, the percentage of the eligible upgrade training cost provided, the number of new private companies locating in Pennsylvania, the number of private companies which are in the early stages of startup and the number of private companies where at least 20% of the trainees are unemployed, public assistance recipients, dislocated workers or displaced homemakers, the amount of private investment, number of new jobs, number of individuals trained, location of the training and employment, date of submission of the application by the agency, estimated completion date of project, and evidence of salary upgrading where appropriate.

(2) A list of applications not approved.

(3) A list of pending applications.

(4) A list of the training programs approved and completed in the fiscal year prior to the preceding fiscal year.

(5) In addition to the data required above, the department shall accumulate from the agencies the following data on an annual and cumulative basis:

(i) The number of jobs actually created as a result of the training project.

(ii) The number of people who, 180 days following completion of the training program, are found to be employed by the company.

(6) An overall statement of the progress of the program during the preceding year, along with recommendations for improvements.

(7) the number of unemployed individuals, public assistance recipients, dislocated workers and displaced homemakers participating in the training program.

Section 11. Sanctions.

Any private company, after 180 days following completion of the training, which is found to be in violation of a provision of the training plan must pay to the Commonwealth a dollar amount equal to the percentage of workers not employed or upgraded according to the objectives stated in the training plan. The department shall allow the agency or private company found to be in violation of the employment provisions a reasonable period of time to appeal the violation when circumstances of employment or employment retention are thought to be beyond the control of the local educational agency or private company. After the appeal process has been exhausted, the department shall make a determination that provisions of the training contract have been violated and shall immediately take steps to recover from the private company or agency any dollar amounts determined to be payable to the Commonwealth.

Section 12. Rules and regulations.

(a) Temporary exemption from review.—In order to facilitate the speedy implementation of the program, the department shall have the power and authority to promulgate and adopt and use regulations that shall be published in the Pennsylvania Bulletin. The regulations shall not be subject to review pursuant to section 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, or the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, and except as provided in subsection (c), shall be effective for a period ending not later than June 30, 1986.

(b) Expiration of exemption.—Except as provided in subsection (c), after the expiration of the temporary exemption period, all regulations shall expire and shall be replaced by regulations which shall have been promulgated, adopted and published as provided by law.

(c) Exception.—Regulations adopted and pursuant to subsection (a) may be continued in effect if the Leadership Committee created pursuant to section 3 of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, extends the regulations.

Section 13. Requirements of other acts.

Enactment of this act shall be deemed to meet the requirements for enactment of a customized job training act by the General Assembly under section 211 of the act of June 30, 1985 (P.L. , No.5A), known as the General Appropriation Act of 1985, and the department is hereby authorized to expend all funds remaining unexpended, uncommitted or unencumbered in accord with the provisions of this act.

Section 14. Effective date.

This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Lebanon, Senator Brightbill.

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

Senator BRIGHTBILL. I will, Mr. President.

Senator KELLEY. Mr. President, would the gentleman give a brief explanation of the amendment?

Senator BRIGHTBILL. Mr. President, back at the time we passed the budget, we placed about \$12 million in the Customized Job Training program. At that time we released \$3 million and held \$9 million, pending enactment by the General Assembly. I believe this bill constitutes that enactment, and it has been agreed upon by all the parties.

Senator KELLEY. May we be at ease, Mr. President?

The PRESIDENT pro tempore. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. House Bill No. 1289 will go over, as amended.

MEETING OF COMMITTEE ON APPROPRIATIONS

Senator LOEPER. Mr. President, before we take any action on House Bill No. 350, I would request on behalf of Senator Tilghman that the Members of the Senate Committee on Appropriations report to the Rules Committee room at the rear of the Chamber for a brief meeting, and we will continue on second reading Calendar.

The PRESIDENT pro tempore. Would all Members of the Committee on Appropriations please report for a very brief meeting of that committee to the Rules Committee room at the rear of the Senate Chamber, and the Senate will continue on second consideration bills.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

HB 350 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS OVER IN ORDER

SB 535 and 611 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 690 (Pr. No. 788) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for county commissioners to make contracts.

Considered the second time and agreed to,

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

BILL OVER IN ORDER TEMPORARILY

SB 735 (Pr. No. 843) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the clear disclosure of prices for grocery items; imposing duties on the Bureau of Consumer Protection; and providing for civil penalties.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator LOEPER. Mr. President, I request that Senate Bill No. 735 go over in its order temporarily.

Senator LINCOLN. Mr. President, I would object to Senate Bill No. 735 going over in its order.

The PRESIDENT pro tempore. I think if you heard the request, Senator, it was that we go over it temporarily in its order. May we do that and proceed? We have to come back to it.

Senator LINCOLN. I apologize, Mr. President. I did not hear the temporary part.

The PRESIDENT pro tempore. Without objection, Senate Bill No. 735 will go over temporarily in its order.

BILL ON SECOND CONSIDERATION

HB 784 (Pr. No. 2616) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1982 (P. L. 633, No. 181), entitled "Regulatory Review Act," extending the expiration date of the act.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 801, SB 876 and 1010 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION AMENDED

HB 1073 (Pr. No. 2431) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the registration of vehicles, for the suspension of registration, for the depositing of waste from vehicles upon highways, property and waters, and for the disposition of certain fines and bail forfeitures.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator CORMAN offered the following amendment:

Amend Title, page 1, line 5, by removing the period after "forfeitures" and inserting: ; and further providing for speed timing devices.

Amend Bill, page 5, by inserting between lines 26 and 27:

Section 3. Section 3368(c) and (d) of Title 75 are amended to read:

§ 3368. Speed timing devices.

(c) Mechanical, electrical and electronic devices authorized.—

(1) Except as otherwise provided in this section, the rate of speed of any vehicle may be timed on any highway by a police officer using a mechanical or electrical speed timing device.

(2) [Electronic] Except as otherwise provided in paragraph (3), electronic devices such as radio-microwave devices (commonly referred to as electronic speed meters or radar) may be used only by members of the Pennsylvania State Police. [No

person may be convicted upon evidence obtained through the use of such devices unless the speed recorded is six or more miles per hour in excess of the legal speed limit.]

(3) Electronic devices which calculate speed by measuring elapsed time between measured road surface points by using sensors which are physically contacted by a vehicle and which are physically connected to a police vehicle, and devices which measure and calculate the average speed of a vehicle between any two points may be used by any police officer.

(4) No person may be convicted upon evidence obtained through the use of devices authorized by paragraphs (2) and (3) unless the speed recorded is six or more miles per hour in excess of the legal speed limit.

(d) [Approval] Classification, approval and testing of mechanical, electrical and electronic devices.—The department may, by regulation, classify specific devices as being mechanical, electrical or electronic. All mechanical, electrical or electronic devices shall be of a type approved by the department, which shall appoint stations for calibrating and testing the devices and may prescribe regulations as to the manner in which calibrations and tests shall be made. The devices shall have been tested for accuracy within a period of 60 days prior to the alleged violation. A certificate from the station showing that the calibration and test were made within the required period, and that the device was accurate, shall be competent and prima facie evidence of those facts in every proceeding in which a violation of this title is charged.

Amend Sec. 3, page 5, line 27, by striking out "3" and inserting: 4

Amend Sec. 4, page 8, line 3, by striking out "4" and inserting: 5

Amend Sec. 5, page 8, line 8, by striking out all of said line and inserting:

Section 6. (a) Section 3 of this act, amending section 3368(c) and (d), shall take effect immediately.

(b) The remainder of this act shall take effect on July 1 next

On the question,

Will the Senate agree to the amendment?

Senator LINCOLN. Mr. President, would the gentleman from Centre County, Senator Corman, consent to a brief interrogation?

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

Senator CORMAN. I will, Mr. President.

Senator LINCOLN. Mr. President, in our caucus we discussed what I believe were two amendments, one dealing with VASCAR and one dealing with ESP. Are they combined in the same amendment?

Senator CORMAN. Yes, Mr. President. Initially, I intended to only address the issue of ESP that a court struck down the use of it by local governments recently, but in working with the House Transportation Committee, they wanted to address both issues at the same time so we thus decided to do it in this amendment to make it perfectly clear that both ESP and VASCAR are appropriate tools of local government to measure the speed of automobiles.

PARLIAMENTARY INQUIRY

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

The PRESIDENT pro tempore. The gentleman from Fayette, Senator Lincoln, will state it.

Senator LINCOLN. Mr. President, would it be possible to divide this amendment in that we would be able to vote for VASCAR and ESP separately?

The PRESIDENT pro tempore. Senator, the way the amendment has been drafted, it would not be possible to do so.

The PRESIDENT pro tempore. The Senate will be at ease.
(The Senate was at ease.)

Senator LINCOLN. Mr. President, I am having a little bit of difficulty understanding the Chair's decision on whether or not this amendment could be divided. In paragraph 3 of subsection (c), it very clearly indicates that they are two different and distinct types of timing of speed. They are separated by a comma and an and, and I am at a total loss why there could not be a division at that point.

The PRESIDENT pro tempore. The reason for the ruling, Senator, is that if one would go in and the other would not, the rest of it does not make sense. It does not read correctly. It was not drawn in such a way that it was divisible. That is the reason. It would not stand on its own.

Senator LINCOLN. Mr. President, I have never been known to be an English major, and I would probably not be able to teach the President pro tempore anything about English.

The PRESIDENT pro tempore. Senator, look at the whole amendment, not just subsection (c). It will not make sense without it.

Senator LINCOLN. Mr. President, I do not agree with that position.

Senator CORMAN. Mr. President, I withdraw this amendment at this time.

The PRESIDENT pro tempore. Without objection, Senator Corman withdraws the amendment to House Bill No. 1073.

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

Senator CORMAN. Mr. President, after discussion with the Members on the other side of the aisle, I reoffer my amendment.

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

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Centre, Senator Corman.

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

Senator CORMAN. I will, Mr. President.

Senator KELLEY. Mr. President, would the gentleman explain how this amendment changes current law?

Senator CORMAN. Mr. President, local police forces have been using the systems called ESP and VASCAR for some time to check the speed of vehicles as they go through their communities, and those who are exceeding it, obviously, then get a speeding ticket. Recently, a court struck down the use of

ESP as a speed timing device. My amendment would restate that it is a proper device for local governments to use. It was recommended by the House Transportation Committee to me that we also extend the same statement concerning the use of VASCAR so that the courts understand we intend that both of these devices are legal devices that should be used by local governments in order to check the speed of vehicles in their communities. Therefore, my amendment addresses both of those devices.

Senator KELLEY. The amendment, Mr. President, does not change the requirement that radar can only be operated by members of the Pennsylvania State Police?

Senator CORMAN. No, it does not, Mr. President.

Senator WILT. Mr. President, I desire to interrogate the gentleman from Centre, Senator Corman.

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

Senator CORMAN. I will, Mr. President.

Senator WILT. Mr. President, I am concerned, and I would like to know if this legislation as amended would give local police any more or less authority than it had before the court decision which we are presently trying to correct.

Senator CORMAN. Mr. President, it is my understanding it will not extend them any additional powers they did not currently have prior to the court ruling.

Senator WILT. Mr. President, I am concerned with the technical terms that are being used so far which I think designate the types and kinds of equipment. The one kind was familiar to me, the one in which the two strips were used and they could find out electronically from the compression of these tapes the speed. I am a little concerned about the other kind of electronic surveillance that is being suggested in this amendment. I think the court spoke to electronic surveillance equipment, and I want to be sure in my queries—and I hope my query supports the fact—that we, in effect, are not permitting local police to have any greater latitude with the devices in checking speed than they had under previous law.

Senator CORMAN. Mr. President, I would like to assure the gentleman it is my belief that we are not extending them any additional tools to measure speeding vehicles than they previously had.

Senator O'PAKE. Mr. President, it is my understanding that this amendment does two things. Number one, it reverses the Supreme Court decision and makes it clear that ESP is a legal device that can be used by local law enforcement. The second thing it does is to clarify that VASCAR will also be legal so that a lawsuit contesting the legality and propriety of VASCAR will not be necessary.

Senator BELL. Mr. President, I am going to support the amendment, but that does not mean I am going to vote for the bill because I want to study this thoroughly.

First of all, I do not like the idea of using turkey season to push stuff like this through. The question was asked, is this enlarging what is permitted by current law? The answer was, this is no more than what the police are already doing. But, what the police are doing does not comply with existing law.

That is the Supreme Court decision. When we passed the radar law—and I was a Member of the Senate, a young Senator—we specifically restricted radar to the State Police because we did not want to have fining mills and put the cops out and collect taxes with all kinds of gadgets like they do in New Jersey, because over there it is a real good source of income for New Jersey people to lock up Pennsylvania drivers, and I live close to it. We very carefully restricted use of radar to State Police. The thing that was made illegal by the Supreme Court are these two little rubber hoses that are out there and you go through “click click” and you have had it. That was authorized by regulations of PennDOT, and the Supreme Court said that when PennDOT said this was all right, they went beyond what they had the authority to do by regulation. VASCAR, as I understand, is being used in Pennsylvania by local police under similar regulations issued by PennDOT. I think that ought to be clarified. Yes, the police have been using these, the local police have been doing it. Yes, it does save lives. Yes, in some places it does create fining mills. I have one in my district. There is another one in my county. They are actually out there like collecting taxes, and that is not what we should have been doing by our local police. This is why I am uncertain as to how I am going to vote on this, but I am not going to oppose it going in as an amendment.

Senator CORMAN. Mr. President, I would urge all Members of the Senate to support the amendment. I think we all have children and grandchildren, and we want the cars when they are traveling in our communities to travel at a safe speed so that our children’s lives will be protected from speeding vehicles. If we are going to have them traveling at a lower rate of speed, there must be some measure for local government to detect speeding cars and fine those who violate the law. If, in fact, it is believed that some communities may use this as a revenue generator, then I would recommend a piece of legislation be introduced showing that all the fines obtained from the use of these pieces of equipment be given to the state rather than to local government, then it would render moot any local revenue raising features of this device.

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I would request temporary Capitol leaves for Senator Ross, Senator Fumo, Senator Jones, Senator Hankins, Senator Williams, Senator Rocks and Senator Romanelli.

The PRESIDENT pro tempore. Senator Lincoln has requested temporary Capitol leaves for Senator Ross, Senator Fumo, Senator Jones, Senator Rocks, Senator Hankins, Senator Williams and Senator Romanelli. The Chair hears no objection. The leaves will be granted.

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

Senator LINCOLN. Mr. President, I desire to very briefly interrogate the gentleman from Centre, Senator Corman.

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

Senator CORMAN. I will, Mr. President.

Senator LINCOLN. Mr. President, under the law if a police officer is using radar, they must allow you a six mile an hour grace, I guess you would call it. In this amendment, is the gentleman also adding that in the use of VASCAR or ESP that the six mile an hour grace must be allowed?

Senator CORMAN. Yes, Mr. President, that same thing is extended in this amendment for VASCAR and ESP that is allowed for radar.

Senator LINCOLN. Mr. President, is that a change in the same two speed timing devices when they were used prior to the Supreme Court ruling, a change from that?

Senator CORMAN. Mr. President, I think that is correct. I think it was given to me that we ought to be putting all three in compliance, so I believe you are correct that that is a change.

Senator LINCOLN. Mr. President, I have very strong feelings about voting for the VASCAR, but I do appreciate the gentleman’s using some good common sense and logic in placing the six mile per hour allowance over the speed limit into the amendment. It does make it a more palatable amendment.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would ask for temporary Capitol leaves on behalf of Senator Hopper and Senator Fisher who have been called to their offices.

The PRESIDENT pro tempore. Senator Loeper requests temporary Capitol leaves for Senator Hopper and Senator Fisher. The Chair hears no objection. Those leaves will be granted.

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

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

YEAS—43

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

NAYS—5

Bodack	Lynch	Singel	Williams
Fumo			

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

Amend Title, page 1, line 4, by inserting after "waters,": for the nonexclusion of insurance benefits for insureds who are under the influence at the time of an accident

Amend Sec. 2, page 2, line 20, by striking out "a section" and inserting: sections

Amend Sec. 2, page 5, by inserting between lines 26 and 27:

§ 1724. Certain nonexcludable conditions.

(a) General rule.—Insurance benefits may not be denied solely because the driver of the insured motor vehicle is determined to be under the influence of drugs or intoxicating beverages at the time of the accident for which benefits are sought.

(b) Contract exclusions.—Provisions of an insurance policy which exclude insurance benefits if the insured causes a vehicular accident while under the influence of drugs or intoxicating beverages at the time of the accident are void.

On the question,

Will the Senate agree to the amendment?

Senator LOEPER. Mr. President, may we be at ease for a moment while we take a look at the amendment?

The PRESIDENT pro tempore. With your permission, Senator Mellow, the Senate will be at ease.

(The Senate was at ease.)

Senator MELLOW. Mr. President, very simply stating the reason for the amendment, currently if you would negotiate to rent a car from one of our car rental agencies throughout the country and you sign an agreement to purchase insurance while you have that car rented, and sometime during the course of that rental, whether it be that day or sometime during the course of the contract of that rental, if the individual driving that car is involved in a motor vehicle accident while the person was driving while under the influence, there is an exclusion in the insurance contract that person has signed which does not give them coverage for that accident. So, hypothetically, if you are involved in a motor vehicle accident with some individual who has a car rented from National or Hertz or Avis and that person was under the influence of either drugs or alcohol, the insurance they have signed would be excluded. The reason for my offering the amendment is to take care of that exclusion in the contract and also to further state, Mr. President, that nothing in the amendment I am offering shall exceed the limits of the contract that has been negotiated by the individual who has rented the car and the rental agency. It is really to try to close a loophole of someone who may have been in an accident for drunken driving.

Senator HOLL. Mr. President, I rise in support of the amendment. It is in the best interests of the motoring public, and I think it is a provision we should have in the statute.

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Lackawanna, Senator Mellow.

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

Senator MELLOW. I will, Mr. President.

Senator KELLEY. Mr. President, as I understand the explanation given by the gentleman, it is to prohibit the exclusion in a rental car of the alcoholic driving under the influence. Is there a similar provision for regular general policies in the Commonwealth of Pennsylvania?

Senator MELLOW. Mr. President, not to my knowledge. To my knowledge, Mr. President, the only place where the exclusion does exist is when you have a rented car.

Senator KELLEY. Mr. President, there is nothing in current law then that prohibits the insurance companies from having an exclusion in the policies issued to the owners of the automobiles registered in the Commonwealth of Pennsylvania, but your amendment would prohibit that exclusion for leased rental cars, is that correct?

Senator MELLOW. Mr. President, currently in Pennsylvania, and it is one of the few states in which this is now taking place, if you have a rented car, part of the insurance contract that you sign would exclude you from receiving benefits from the individual you may bump and may hit if you are arrested while driving under the influence. The unfortunate thing is many people who are involved in these types of incidents or accidents who have contacted my office are not aware of this particular provision.

Senator KELLEY. Mr. President, would you have any objection, after the adoption of this amendment, to also submitting an amendment and supporting an amendment that would apply to any insurance policy issued in the Commonwealth that would prohibit the exclusion of driving under the influence benefits? My point is that you are offering the amendment to those who have rental or lease agreements, but there is no such protection for those who own cars and get regular insurance on an annual basis in the Commonwealth of Pennsylvania.

Senator MELLOW. Mr. President, I think possibly this amendment may address the concern of the gentleman. I think the way this amendment is drafted there would not be contract exclusions for insurance policies being written where an individual was involved in an accident while under the influence or driving while under the controlled substance, so I think basically the amendment would take care of what the gentleman is talking about.

Senator KELLEY. Mr. President, that is my point. Taking up from the agreement of the gentleman from Montgomery, Senator Holl, in support of the sentiment of this amendment, but this amendment only deals with lease or rental cars, is that correct?

Senator MELLOW. That is what I am trying to say, Mr. President. I think perhaps it may not cover only leased or rented cars, but may, in fact, cover all insurance motor vehicle contracts.

And the question recurring,

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.

BILL ON SECOND CONSIDERATION

SB 1100 (Pr. No. 1360) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 20, 1949 (P. L. 1633, No. 493), entitled, as reenacted and amended, "Housing and Redevelopment Assistance Law," further providing for grant authorizations.

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

LEGISLATIVE LEAVE

Senator LOEPER. Mr. President, before we deal with Senate Bill No. 1132, I would request a Capitol leave for Senator Shaffer who has been called from the floor.

The PRESIDENT pro tempore. Senator Loeper requests a temporary Capitol leave for Senator Shaffer. The Chair hears no objection. The leave is granted.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 1132, 1136 and 1180 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 1182 (Pr. No. 1525) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing standards and qualifications by which local tax authorities in counties of the first class may make special real property tax relief provisions.

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

BILL OVER IN ORDER

SB 1194 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 1228 (Pr. No. 1651) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929, (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," further providing for interest on overpayments of taxes and for the payment of public assistance funds.

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

BILL OVER IN ORDER

SB 1259 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 1260 (Pr. No. 1674) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P. L. 1005, No. 205), entitled "Municipal Pension Plan Funding Standard and Recovery Act," providing a clarification in the applicable amortization period in certain instances of financial distress.

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

HB 1353 (Pr. No. 2615) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Department of Community Affairs and the Department of Public Welfare to establish low-cost shelter for the homeless.

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

BILL OVER IN ORDER

HB 1440 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 1678 (Pr. No. 2599) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 216, No. 76), known as "The Dental Law," reestablishing the State Dental Council and Examining Board; providing for its composition, powers and duties; and making repeals.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator REIBMAN offered the following amendment:

Amend Sec. 2 (Sec. 2.1), page 2, line 24, by striking out "ten" and inserting: twelve

Amend Sec. 2 (Sec. 2.1), page 2, line 27, by striking out "Seven" and inserting: Eight

Amend Sec. 2 (Sec. 2.1), page 2, line 30; page 3, line 1, by striking out "One member shall be a dental hygienist" and inserting: Two members shall be dental hygienists

On the question,

Will the Senate agree to the amendment?

Senator REIBMAN. Mr. President, this is a very simple amendment. All this amendment does is add two members to the State Dental Council and Examining Board which examines dentists and dental hygienists for licensing. I am adding one dentist and one dental hygienist. The purpose of the amendment is to give the dental hygienists a real opportunity to have their issues aired by the board. At the present time, the board consists of only one dental hygienist and seven dentists. Many times a motion offered by that one dental hygienist on matters that affect them as well as school hygienists gets lost for the lack of a second. At least if another person, another dental hygienist, were placed on the board, there

would at least be an opportunity to have a motion seconded and discussion take place.

I have read the opposition arguments as put forth by the dentists. I have talked with them personally at their dinner dance last Saturday evening in my own area. For the life of me, I find no logic whatsoever in their blind opposition to this amendment. The amendment is not designed to detract from the power now wielded by the dentists on the board. The current printer's number provides for a board of thirteen members, as I said, including seven dentists and one hygienist. My amendment only expands it two more people, fifteen members, eight dentists and two hygienists, so the dentists would still be in the overwhelming majority.

The amendment is not designed to give the hygienists a separate board or to allow them to practice independent of their dentists, no matter what you may have heard from the amendment's opponents. In fact, I believe that the amendment would increase the likelihood that the hygienists' needs will be considered by the current dental board with this amendment. I urge my colleagues in the Senate to support this very simple amendment which is only right and just, to give the 6,000 hygienists in the State of Pennsylvania at least an opportunity to have their concerns aired with the dental board.

Senator LOEPER. Mr. President, unfortunately, we did not have the opportunity to caucus on this amendment today and, due to that fact, I would ask our caucus for a negative vote on the amendment.

Senator REIBMAN. Mr. President, I can understand what the gentleman from Delaware, Senator Loeper, is saying, but this is not a matter of partisanship or political philosophy. It is neither a Democratic amendment nor a Republican amendment. It just happens to be an amendment in the interest of some licensed health professionals who have to work with dentists in tandem. If you go to your dentist and there is a dental hygienist there, I am willing to bet that dental hygienist does practically everything necessary for your teeth, even educating you how to floss your teeth and how to take care of them. The dentist then comes in, examines the teeth and says to the hygienist, you did a good job.

I do not see why this should be such an important matter on the part of a caucus discussion. It is very simple on its face. There is nothing complex about the amendment. People can easily understand the words, and if you were really interested in doing the right thing to make sure that another licensed health care person has at least their concerns, which concern you and me and all the other consumers who use dentists and dental hygienists, the Members ought to vote in favor of this amendment.

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

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

YEAS—12

Hankins	Lincoln	Reibman	Singel
Kratzer	Mellow	Rhoades	Stout
Lewis	Moore	Scanlon	Zemprelli

NAYS—35

Andrezeski	Greenleaf	Loeper	Salvatore
Armstrong	Helfrick	Lynch	Shaffer
Bell	Hess	Madigan	Shumaker
Bodack	Holl	Musto	Stapleton
Brightbill	Hopper	Pecora	Tilghman
Corman	Jones	Peterson	Wenger
Early	Jubelirer	Rocks	Williams
Fisher	Kelley	Romanelli	Wilt
Fumo	Lemmond	Ross	

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?

It was agreed to.

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

**HOUSE CONCURRENT RESOLUTION
NO. 184, CALLED UP**

Senator LOEPER, without objection, called up from page 9 of the Calendar, **House Concurrent Resolution No. 184**, entitled:

Memorializing the Governor to recognize individuals who receive Carnegie Medals.

On the question,
Will the Senate concur in the resolution?

**SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION NO. 184**

Senator LOEPER. Mr. President, I move the Senate do concur in House Concurrent Resolution No. 184.

The motion was agreed to and the resolution was concurred in.

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

PERMISSION TO ADDRESS SENATE

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

Senator LINCOLN. Mr. President, before we move from the Calendar, we went over Senate Bill No. 735 temporarily.

The PRESIDENT pro tempore. That is true. We are glad you are vigilant, Senator.

Senator Loeper, before we deal with Executive Nominations, we do have an open-ended bill. Senate Bill No. 735 has gone over temporarily in its order.

CONSIDERATION OF CALENDAR RESUMED

SB 735 CALLED UP

SB 735 (Pr. No. 843) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Second Consideration Calendar, by Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 735 (Pr. No. 843) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the clear disclosure of prices for grocery items; imposing duties on the Bureau of Consumer Protection; and providing for civil penalties.

The bill was considered.

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

Senator LOEPER. I would move, Mr. President, that Senate Bill No. 735 go over in its order.

The PRESIDENT pro tempore. Senator Loeper moves that Senate Bill No. 735 go over in its order.

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

Senator LINCOLN. Mr. President, a “no” vote would mean that the bill would not go over. I would ask for a “no” vote.

The PRESIDENT pro tempore. Senator Loeper has moved that Senate Bill No. 735 go over in its order. Senator Lincoln wishes a “no” vote.

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

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

YEAS—18

Armstrong	Hopper	Moore	Shumaker
Brightbill	Jubelirer	Pecora	Tilghman
Corman	Lemmond	Peterson	Wenger
Fisher	Loeper	Shaffer	Wilt
Hess	Madigan		

NAYS—30

Andrezeski	Holl	Musto	Salvatore
Bell	Jones	O’Pake	Scanlon
Bodack	Kelley	Reibman	Singel
Early	Kratzer	Rhoades	Stapleton
Fumo	Lewis	Rocks	Stout
Greenleaf	Lincoln	Romanelli	Williams
Hankins	Lynch	Ross	Zemprelli
Helfrick	Mellow		

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?
It was agreed to.

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

EXECUTIVE NOMINATION

EXECUTIVE SESSION

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

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

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

The Clerk read the nomination as follows:

**MEMBER OF THE PENNSYLVANIA
GAME COMMISSION**

August 27, 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 Clair Clemens (District Eight), 675 Reinert Road, Hatfield 19440, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve until the third Tuesday of January, 1993, and until his successor shall have been appointed and qualified, vice Edwin J. Brooks, Lansdale, resigned.

DICK THORNBURGH.

On the question,
Will the Senate advise and consent to the nomination?

Senator LINCOLN. Mr. President, I have no objection to a fast roll call, but I have a number of Members, four or five, who want to be recorded negatively on this.

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—40

Andrezeski	Hess	Mellow	Scanlon
Armstrong	Holl	Moore	Shaffer
Bell	Hopper	Musto	Shumaker
Bodack	Jubelirer	O’Pake	Singel
Brightbill	Kelley	Pecora	Stapleton
Corman	Lemmond	Peterson	Stout
Early	Lewis	Reibman	Tilghman
Fisher	Lincoln	Rhoades	Wenger
Greenleaf	Loeper	Romanelli	Wilt
Helfrick	Madigan	Ross	Zemprelli

NAYS—8

Fumo	Jones	Lynch	Salvatore
Hankins	Kratzer	Rocks	Williams

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

UNFINISHED BUSINESS REPORT FROM COMMITTEE

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

SB 1178 (Pr. No. 1685) (Rereported)

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," reestablishing and renaming the Pennsylvania Liquor Control Board; establishing the Bureau of Consumer Relations; providing powers and duties of the Office of Administrative Law Judge, the Office of Attorney General and law enforcement agencies; adding certain definitions; providing for review of liquor regulations, for statements of licensing policies, for special occasion permits for volunteer ambulance companies, volunteer rescue companies and women's auxiliaries, for wine-based beverages, for manufacturers' records of sales in each county, for revocation of licenses for tax delinquency, for point-of-sale advertising, and for the revocation of a license for unlawful possession or transportation of liquor or alcohol; further providing for the appointment and compensation of board members, for audits, for restrictions on employee outside employment, for store hours, for sales by stores and licensees, for rebates and for disposition of money in the Liquor License Fund; prohibiting pornography and obscene material on licensed premises; prohibiting unlawful advertising; providing for civil and criminal penalties; and making appropriations.

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 Denise Digby by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph A. LeDonne and to Mr. and Mrs. Rudy Brncic by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. Frank J. Sommer, Mr. and Mrs. Nino Massi, Mr. and Mrs. Randolph Smith and to David C. McMillin by Senator Early.

Congratulations of the Senate were extended to the Bethel Park High School Boys Cross Country Team by Senator Fisher.

Congratulations of the Senate were extended to James A. Roach by Senator Howard.

Congratulations of the Senate were extended to Mr. and Mrs. Ralph F. Smith, Mr. and Mrs. Amos C. Shaw, Mr. and Mrs. Rayford Shufft, Mr. and Mrs. Thomas Wilson, Mr. and Mrs. William Ed Marshall, Mr. and Mrs. Edison Frye, Mr. and Mrs. Richard H. Gentsch and to Mrs. Thora Barefoot by Senator Jubelirer.

Congratulations of the Senate were extended to Mrs. Rose Baron and to Jane Anderson by Senator Loeper.

Congratulations of the Senate were extended to Mrs. Gertrude Pierce, Mr. and Mrs. Stuart E. Hall and to Parris D. Snyder by Senator Madigan.

Congratulations of the Senate were extended to David Sweet and to Paul G. Breiner by Senator Rhoades.

Congratulations of the Senate were extended to Dr. Kenneth W. Masters by Senator Shumaker.

Congratulations of the Senate were extended to James N. Thompson by Senator Stapleton.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Dr. Raymond Saloom by Senators Shaffer and Wilt.

BILLS ON FIRST CONSIDERATION

Senator STOUT. 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 1162, HB 249, 250, 502, 503, 717 and 1014.

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

COMMUNICATION FROM THE GOVERNOR

RECALL COMMUNICATION LAID ON THE TABLE

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

MEMBER OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

December 10, 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 9, for the appointment of Altha R. Landis (Republican), 2022 Main Street, Rothsville 17573, Lancaster County, Thirteenth Senatorial District, as a member of the Lancaster County Board of Assistance, to serve until December 31, 1987, and until her successor is duly appointed and qualified, vice Elizabeth Tredway, Lancaster, resigned.

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

DICK THORNBURGH.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 567, 1100, 1338 and 1685.**

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 774**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE SENATE
TO SB 901, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments noncon-
curred in by the Senate to **SB 901**, and has appointed Messrs. **HUTCHINSON, BROUJOS** and **PICCOLA** 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.

**HOUSE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE SENATE
TO SB 902, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments noncon-
curred in by the Senate to **SB 902**, and has appointed Messrs. **HUTCHINSON, BROUJOS** and **PICCOLA** 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.

GENERAL COMMUNICATION

**REPORT OF THE HOUSE STATE GOVERNMENT
COMMITTEE ON THE SUNSET EVALUATION AND
REVIEW OF THE PENNSYLVANIA COMMISSION
ON CHARITABLE ORGANIZATIONS**

The **PRESIDENT** pro tempore. The Chair lays before the Senate the report of the House State Government Committee on the Sunset Evaluation and Review of the Pennsylvania Commission on Charitable Organizations.

This report will be filed in the Library.

BILLS SIGNED

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

SB 615, 1052, 1103, 1114, 1115, 1116, 1117, HB 567, 1100, 1338, 1685 and **1892**.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, DECEMBER 11, 1985

- | | | |
|------------------|--|---|
| 9:00 A.M. | LAW AND JUSTICE
(Public Hearing on House
Bill No. 843) | Senate Majority
Caucus Room |
| 10:00 A.M. | APPROPRIATIONS (to
consider Senate Bill No.
1178 and House Bill No.
209) | Room 461,
4th Floor
Conference Rm.,
North Wing |
| off the
floor | RULES AND EXECUTIVE
NOMINATIONS (to consider
certain Executive Nominations
and Senate Resolution No. 114) | Rules Committee
Conference Rm. |

WEDNESDAY, DECEMBER 18, 1985

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|-----------|---|--------------------------------|
| 1:00 P.M. | CONSUMER PROTECTION
AND PROFESSIONAL
LICENSURE (Public Hearing
on House Bill No. 1639
(PUC Sunset)) | Senate Majority
Caucus Room |
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MONDAY, DECEMBER 30, 1985

- | | | |
|------------|--|--------------------------------|
| 10:00 A.M. | CONSUMER PROTECTION
AND PROFESSIONAL
LICENSURE (Public Hearing
on House Bill No. 1362
(Chiropractors)) | Senate Majority
Caucus Room |
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WEDNESDAY, JANUARY 8, 1986

- | | | |
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| 10:00 A.M. | ENVIRONMENTAL
RESOURCES AND ENERGY
(Public Hearing on Senate
Bill No. 191, "bottle bill"
and the litter tax proposal) | Room 461,
4th Floor
Conference Rm.,
North Wing |
| 10:00 A.M. | CONSUMER PROTECTION
AND PROFESSIONAL
LICENSURE (Public Hearing
on House Bill No. 1362
(Chiropractors)) | Senate Majority
Caucus Room |

TUESDAY, JANUARY 14, 1985

- | | | |
|-----------|---|--------------------------------|
| 1:00 P.M. | CONSUMER PROTECTION
AND PROFESSIONAL
LICENSURE (Public Hearing
on House Bill No. 1639
(PUC Sunset)) | Senate Majority
Caucus Room |
|-----------|---|--------------------------------|

WEDNESDAY, JANUARY 15, 1985

- | | | |
|------------|---|--------------------------------|
| 10:00 A.M. | CONSUMER PROTECTION
AND PROFESSIONAL
LICENSURE (Public Hearing
on Senate Bill No. 720
(Counselors)) | Senate Majority
Caucus Room |
|------------|---|--------------------------------|

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Wednesday, December 11, 1985, at 1:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 7:07 p.m., Eastern Standard Time.