

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 30, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 49

SENATE

MONDAY, June 30, 1986.

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

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

PRAYER

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

Eternal God, we stand before You in reverence and awe. As this week begins, we are aware of the tremendous workload and the pressures that face the Members of this Senate. Help them to be aware of the presence of divine help and wisdom which You offer to all. May they seek Your guidance and, as a result, have faith that their actions will bring benefit to all the citizens of this Commonwealth. 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 June 27, 1986.

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

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Rules and Executive Nominations to meet off the floor today to consider certain nominations.

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 STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

June 27, 1986.

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

Please note the nomination dated June 17, 1986, for the appointment of Carol Nisely, 595 Biglerville Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Emery J. DiDonato, Greensburg, resigned, should be corrected to read:

Carol Knisely, 595 Biglerville Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Emery J. DiDonato, Greensburg, resigned.

HOUSE MESSAGES

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1832**.

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

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 560, 1277, 1447, 1461, 1462, 1463, 1466, 1468** and **1556**, 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 bills, as amended, will be placed on the Calendar.

DISCHARGE PETITION

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

In the Senate, June 30, 1986.

A PETITION

To place before the Senate the nomination of Martin J. O'Brien, Esquire, as a judge of the Court of Common Pleas of Butler County.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Martin J. O'Brien, Esquire, Butler, Pennsylvania, as a judge of the Court of Common Pleas of Butler County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

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

LEAVE OF ABSENCE

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

LEGISLATIVE LEAVES

Senator ZEMPRELLI. Mr. President, I would request a legislative leave on behalf of Senator Hankins and a temporary Capitol leave on behalf of Senator O'Pake.

The PRESIDENT pro tempore. Senator Zemprelli has requested a temporary legislative leave for Senator Hankins and a temporary Capitol leave for Senator O'Pake. The Chair hears no objection. The leaves are granted.

Senator LOEPER. Mr. President, I would request temporary legislative leaves on behalf of Senator Holl and Senator Lemmond, as well as a temporary Capitol leave on behalf of Senator Helfrick.

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

SUPPLEMENTAL CALENDAR NO. 1

HB 1832 CALLED UP OUT OF ORDER

HB 1832 (Pr. No. 3757) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill which House has Nonconcurrent in Senate Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE
TO HB 1832, AND APPOINTS
COMMITTEE OF CONFERENCE

HB 1832 (Pr. No. 3757) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Tax-Exempt Bond Allocation Act," approved December 20, 1985 (P.L. 483, No. 113), further providing for selection of projects using county allocations; and adding provisions relating to changes in Federal law.

Senator STAUFFER. Mr. President, I move the Senate do insist upon its amendments to House Bill No. 1832, and that a Committee of Conference on the part of the Senate be appointed.

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

LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, I request a temporary Capitol leave on behalf of Senator Williams.

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

LEGISLATIVE LEAVE CANCELLED

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

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

REQUEST FOR RECESS

Senator ZEMPRELLI. Mr. President, as a result of a sidebar conference with the Majority Leader, it is absolutely imperative that I have a Democratic caucus at this moment for purposes of information. It should not be very long. I would ask all Members to report to the caucus room forthwith.

The PRESIDENT pro tempore. Senator Zemprelli has requested a very brief recess of the Senate for the purpose of a Democratic caucus to begin immediately in the caucus room at the rear of the Senate Chamber. Would all Democrats please report to the caucus room immediately.

BILLS SIGNED

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

HB 799, 1639, 1644, 2180, 2509, 2510, 2511, 2512, 2513, 2516, 2517, 2518, 2519, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2529, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2548, 2549 and 2550.

RECESS

The PRESIDENT pro tempore. For the purpose of a Democratic caucus, the Senate will stand in recess.

AFTER RECESS

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

The Senate has before it House Bill No. 1832.

And the question recurring,

Will the Senate agree to the motion that the Senate do insist upon its amendments to House Bill No. 1832, and that a Committee of Conference on the part of the Senate be appointed?

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Helfrick and Senator O’Pake. Their temporary Capitol leaves will be cancelled.

And the question recurring,

Will the Senate agree to the motion?

BILL IN PLACE

Senator JONES, by unanimous consent, presented to the Chair a bill.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—49

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

NAYS—0

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

The PRESIDENT pro tempore. The Senate insists upon its amendments, and the President pro tempore will appoint a Committee of Conference.

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

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Public Health and Welfare to meet off the floor today to consider House Bill No. 241 and Senate Bill No. 275.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

As a Special Order of Business, motion was made by Senator BRIGHTBILL,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**JUDGE, COURT OF COMMON PLEAS,
BUTLER COUNTY**

April 28, 1986.

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 Martin J. O’Brien, Esquire, 505 North McKean Street, Butler 16001, Butler County, Twenty-first Senatorial District, for appointment as Judge of the Court of Common Pleas of Butler County, to serve until the first Monday of January, 1988, vice The Honorable John C. Dillon, deceased.

DICK THORNBURGH.

JUDGE, MUNICIPAL COURT

June 5, 1986.

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 Harvey W. Robbins, Esquire, 639 North 22nd Street, Philadelphia 19130, Philadelphia County, Second Senatorial District, for appointment as Judge of the Municipal Court to serve until the first Monday of January, 1988, vice The Honorable Alexander J. Macones, mandatory retirement.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—49

Andrezeski	Holl	Mellow	Scanlon
Armstrong	Hopper	Moore	Shaffer
Bell	Jones	Musto	Shumaker
Bodack	Jubelirer	O’Pake	Singel

Brightbill	Kelley	Pecora	Stapleton
Corman	Kratzer	Peterson	Stauffer
Early	Lemmond	Reibman	Stout
Fisher	Lewis	Rhoades	Tilghman
Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess			

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

SUPPLEMENTAL CALENDAR NO. 1
RESUMED

SB 1447 CALLED UP OUT OF ORDER

SB 1447 (Pr. No. 2294) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Preferred Appropriation Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1447 (Pr. No. 2294) — The Senate proceeded to consideration of the bill, entitled:

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1986, to June 30, 1987, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

Senator STAUFFER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 1447, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 560 CALLED UP OUT OF ORDER

SB 560 (Pr. No. 2303) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 560 (Pr. No. 2303) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L. 6, No. 2), entitled "Tax Reform Code of 1971," providing a limited one-time exclusion from taxation of certain gains made on the sale of a principal residence by aged persons.

Senator STAUFFER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 560, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1277 CALLED UP OUT OF ORDER

SB 1277 (Pr. No. 2269) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1277 (Pr. No. 2269) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing a special fund for moneys received by the Commonwealth from resolution of oil overcharge matters; designating certain low income energy conservation and assistance programs for funding from this special fund; and making appropriations.

Senator STAUFFER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 1277, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1556 CALLED UP OUT OF ORDER

SB 1556 (Pr. No. 2300) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1556 (Pr. No. 2300) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 1986-1987.

Senator STAUFFER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 1556, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SUPPLEMENTAL CALENDAR NO. 2

SB 1461 CALLED UP OUT OF ORDER

SB 1461 (Pr. No. 2295) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1461 (Pr. No. 2295) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Community Affairs to reimburse municipalities containing enterprise zones for a proportion of taxes exempted by the municipalities on improvements to deteriorated property located within enterprise zones under municipal tax exemption programs established pursuant to the Local Economic Revitalization Tax Assistance Act and further providing that the payments so received by municipalities shall be used for community development projects and neighborhood services within the enterprise zones in which taxes are exempted.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 1461, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1462 CALLED UP OUT OF ORDER

SB 1462 (Pr. No. 2296) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1462 (Pr. No. 2296) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 1967 (P.L. 636, No. 292), entitled "Neighborhood Assistance Act," further providing tax credits for investments made to rehabilitate, expand or improve buildings or land used by private companies which promote community and economic development.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 1462, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1463 CALLED UP OUT OF ORDER

SB 1463 (Pr. No. 2297) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1463 (Pr. No. 2297) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of a fund, to be administered by the Department of Community Affairs, to reduce local matching requirements in economic and community development programs for financially disadvantaged municipalities; and providing a procedure for the operation of the fund.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 1463, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1466 CALLED UP OUT OF ORDER

SB 1466 (Pr. No. 2298) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1466 (Pr. No. 2298) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P.L. 545, No. 109), entitled "Capital Loan Fund Act," providing for export assistance loans; and removing provisions relating to guidelines.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 1466, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SB 1468 CALLED UP OUT OF ORDER

SB 1468 (Pr. No. 2299) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1468 (Pr. No. 2299) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P.L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for grant and loan procedures, the conditions of loans and the municipalities where grants may be made; and removing provisions relating to guidelines and regulations.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 1468, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

REMARKS BY MAJORITY LEADER

Senator STAUFFER. Mr. President, as a point of information for Members of the Senate, I would like to announce that today we are going to have to ask everyone to be somewhat flexible. We are going to be in and out of Session probably several times during the course of the day as we move various

pieces of legislation into position to become part of the overall budget package.

RECESS

Senator STAUFFER. Mr. President, with that recognition and the fact that, in addition to the action on the budget bills, we will have our regular Calendar, I would at this time ask for a recess of the Senate pending a call of the Chair.

The PRESIDENT pro tempore. Senator Stauffer requests a recess of the Senate pending the call of the Chair. The Senate will stand in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

Senator STAPLETON. Mr. President, I request a temporary Capitol leave for Senator Scanlon.

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

SPECIAL ORDER OF BUSINESS REPORTS FROM COMMITTEES

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

HB 792 (Pr. No. 3868) (Amended) (Rereported)

An Act amending the act of July 2, 1984 (P. L. 555, No. 111), entitled "Small Business Incubators Act," further providing for grants, loans and loan guarantees; and removing provisions relating to guidelines and regulations.

HB 2100 (Pr. No. 3847) (Amended) (Rereported)

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), entitled "Employee-Ownership Assistance Program Act," further providing for technical assistance, financial assistance, and criteria for evaluating applications; providing for grants; and removing provisions relating to guidelines and regulations.

HB 2101 (Pr. No. 3848) (Amended) (Rereported)

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), entitled "Business Infrastructure Development Act," further providing for loans and grants and their requirements and conditions; and removing provisions relating to guidelines and regulations.

HB 2103 (Pr. No. 3849) (Amended) (Rereported)

An Act establishing a program within the Department of Commerce to provide technical and financial assistance to manufacturers to enable them to remain technologically competitive in their fields and providing funds for technology assessments and professional services, and loans for technological improvements.

HB 2104 (Pr. No. 3867) (Amended) (Rereported)

An Act amending the act of July 1, 1978 (P. L. 584, No. 109), entitled "Milrite Act," further providing for powers and duties of council, and for the operation and functions of area labor management committees.

HB 2330 (Pr. No. 3777)

An Act amending the act of April 28, 1961 (P. L. 111, No. 50), entitled "Tourist Promotion Law," adding definitions; and further providing for grants to tourist promotion agencies.

HB 2514 (Pr. No. 3851) (Amended) (Rereported)

An Act making appropriations to the Hahnemann Medical College and Hospital, Philadelphia, Pennsylvania.

HB 2515 (Pr. No. 3852) (Amended) (Rereported)

An Act making appropriations to the Thomas Jefferson University, Philadelphia, Pennsylvania.

HB 2520 (Pr. No. 3853) (Amended) (Rereported)

An Act making an appropriation to the Philadelphia Colleges of the Arts, Philadelphia, Pennsylvania.

HB 2528 (Pr. No. 3854) (Amended) (Rereported)

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

HB 2530 (Pr. No. 3855) (Amended) (Rereported)

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

HB 2547 (Pr. No. 3856) (Amended) (Rereported)

An Act making an appropriation to the Home for Crippled Children, Pittsburgh, Pennsylvania.

HB 2557 (Pr. No. 3633) (Rereported)

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

HB 2558 (Pr. No. 3565) (Rereported)

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

HB 2596 (Pr. No. 3857) (Amended) (Rereported)

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for an exclusion from the sales and use tax and for a reduction in the personal income tax and corporate net income tax rates and a change in the estimated tax limit; further providing for the realty transfer tax; adding an exemption to the capital stock-franchise tax definitions; reducing tentative tax payments for the capital stock-franchise tax; and providing for a job creation tax credit.

Senator WILT, from the Committee on Public Health and Welfare, reported the following bills:

SB 275 (Pr. No. 287)

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," providing for hemodialysis services.

HB 241 (Pr. No. 2561)

An Act providing for the operation of vending facilities by licensed blind persons; creating a Committee of Blind Vendors;

granting powers to and imposing duties upon the committee; and granting powers to and imposing duties upon an administrative unit in the Department of Public Welfare.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 293, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 293**, and has appointed Messrs. MANDERINO, PISTELLA and DORR as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 560, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 560**, and has appointed Messrs. MANDERINO, PIEVSKY and McCLATCHY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 642, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 642**, and has appointed Messrs. DALEY, LLOYD and CESSAR as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1277, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1277**, and has appointed Messrs. MANDERINO, PIEVSKY and NAHILL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1447, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1447**, and has appointed Messrs. MANDERINO, PIEVSKY and McCLATCHY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1461, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1461**, and has appointed Messrs. MANDERINO, PIEVSKY and BLACK as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1462, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1462**, and has appointed Messrs. MANDERINO, PIEVSKY and WASS as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1463, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1463**, and has appointed Messrs. MANDERINO, PIEVSKY and TELEK as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE SENATE
TO SB 1466, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 1466**, and has appointed Messrs. MANDERINO, PIEVSKY and J. TAYLOR as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE SENATE
TO SB 1468, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 1468**, and has appointed Messrs. MANDERINO, PIEVSKY and STAIRS as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE SENATE
TO SB 1556, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 1556**, and has appointed Messrs. MANDERINO, PIEVSKY and McCLATCHY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Williams, Senator Holl and Senator Hankins and their legislative and Capitol leaves will be cancelled.

HOUSE MESSAGES

**HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO HB 1832, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1832**, and has appointed Messrs. MANDERINO, PIEVSKY and GEIST as a Committee of Conference to confer with a similar committee of the Senate

(if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO HB 1676, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1676**, and has appointed Messrs. TRELLO, PISTELLA and McCLATCHY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

CALENDAR

HB 209 CALLED UP OUT OF ORDER

HB 209 (Pr. No. 2652) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill which House has Nonconcurrent in Senate Amendments, by Senator STAUFFER, as a Special Order of Business.

**SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE
TO HB 209, AND APPOINTS
COMMITTEE OF CONFERENCE**

HB 209 (Pr. No. 2652) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," requiring instruction relating to the cause and prevention of drug and alcohol abuse; and permitting the employment of a certified addiction counselor by school districts.

Senator STAUFFER. Mr. President, I move the Senate do insist upon its amendments to House Bill No. 209, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

SUPPLEMENTAL CALENDAR NO. 4

HB 2514 CALLED UP OUT OF ORDER

HB 2514 (Pr. No. 3851) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2514 (Pr. No. 3851) — The Senate proceeded to consid-
eration of the bill, entitled:

An Act making appropriations to the Hahnemann Medical
College and Hospital, Philadelphia, Pennsylvania.

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—49

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

NAYS—0

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

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 con-
currence of the House is requested.

HB 2515 CALLED UP OUT OF ORDER

HB 2515 (Pr. No. 3852) — Without objection, the bill was
called up out of order, from page 1 of the Third Consider-
ation Calendar, by Senator STAUFFER, as a Special Order
of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2515 (Pr. No. 3852) — The Senate proceeded to consid-
eration of the bill, entitled:

An Act making appropriations to the Thomas Jefferson Uni-
versity, Philadelphia, Pennsylvania.

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—49

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

NAYS—0

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

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 con-
currence of the House is requested.

HB 2520 CALLED UP OUT OF ORDER

HB 2520 (Pr. No. 3853) — Without objection, the bill was
called up out of order, from page 1 of the Third Consider-
ation Calendar, by Senator STAUFFER, as a Special Order
of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2520 (Pr. No. 3853) — The Senate proceeded to consid-
eration of the bill, entitled:

An Act making an appropriation to the Philadelphia Colleges
of the Arts, Philadelphia, Pennsylvania.

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—49

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

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

NAYS—0

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

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

HB 2528 CALLED UP OUT OF ORDER

HB 2528 (Pr. No. 3854) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2528 (Pr. No. 3854) — The Senate proceeded to consideration of the bill, entitled:

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

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—49

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

NAYS—0

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

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

HB 2530 CALLED UP OUT OF ORDER

HB 2530 (Pr. No. 3855) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2530 (Pr. No. 3855) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

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—49

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

NAYS—0

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

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

HB 2547 CALLED UP OUT OF ORDER

HB 2547 (Pr. No. 3856) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

NONPREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2547 (Pr. No. 3856) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Home for Crippled Children, Pittsburgh, Pennsylvania.

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—49

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

NAYS—0

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

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

HB 2557 CALLED UP OUT OF ORDER

HB 2557 (Pr. No. 3633) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2557 (Pr. No. 3633) — The Senate proceeded to consideration of the bill, entitled:

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

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—49

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

Fumo	Lincoln	Rocks	Wenger
Greenleaf	Loeper	Romanelli	Williams
Hankins	Lynch	Ross	Wilt
Helfrick	Madigan	Salvatore	Zemprelli
Hess			

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 2558 CALLED UP OUT OF ORDER

HB 2558 (Pr. No. 3565) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2558 (Pr. No. 3565) — The Senate proceeded to consideration of the bill, entitled:

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

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—49

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

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.

GUEST OF SENATOR JOHN J. SHUMAKER PRESENTED TO SENATE

Senator SHUMAKER. Mr. President, it is my pleasure to introduce Maryalice Finn Stewart who is seated in the balcony. She happens to be the wife of Tom Stewart, one of our two official Senate Reporters. Maryalice is finished with

her duties for the day, working in the Registrar's Office at Penn State University, Capital College, and I would ask that we afford her our usual warm and customary greeting.

The PRESIDENT pro tempore. Would Senator Shumaker's guest please rise so we may give you a warm welcome.

(Applause.)

SUPPLEMENTAL CALENDAR NO. 5

HB 2596 CALLED UP OUT OF ORDER

HB 2596 (Pr. No. 3857) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2596 (Pr. No. 3857) — 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 exclusion from the sales and use tax and for a reduction in the personal income tax and corporate net income tax rates and a change in the estimated tax limit; further providing for the realty transfer tax; adding an exemption to the capital stock-franchise tax definitions; reducing tentative tax payments for the capital stock-franchise tax; and providing for a job creation tax credit.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator STAUFFER. Mr. President, I think it is important that the Members pay attention to what I have to say about the bill before us. This bill before us is being voted not as a final passage bill but in order to move this bill toward a Committee of Conference. There is a great deal of tax material in this bill at the present time that will not be part of the final tax proposal, and I thought it was important in order that there would be no misunderstanding that this was the tax vote of this year. This is a rudimentary vote in order to move the bill to the House where it will be nonconcurrent in and then become a vehicle for a Committee of Conference.

Senator ZEMPRELLI. Mr. President, some of us have previously voted against the substance of this bill and, notwithstanding the explanation offered by the gentleman of the purpose, I am sure I, for one, will be voting against it for fear of being misunderstood, and there may be one or two others who might want to refresh their recollection as to how they voted on the issue of the tax cut. I am sure it will not affect the outcome of the bill, but I think it is also necessary to wax a little consistency in this because the benefit of what is being said on this floor does not often accompany the recording of the vote.

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—47

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

NAYS—2

Kelley Zemprelli

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.

CONSIDERATION OF CALENDAR RESUMED

HB 2079 CALLED UP OUT OF ORDER

HB 2079 (Pr. No. 3710) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill which House has Nonconcurrent in Three Senate Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE RECEDES FROM TWO AMENDMENTS AND INSISTS ON ONE AMENDMENT NONCONCURRED IN BY THE HOUSE

HB 2079 (Pr. No. 3710) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to game and wildlife; and making conforming amendments to Titles 18, 42 and 75.

Senator RHOADES. Mr. President, I move that the Senate do recede from its amendments nonconcurrent in by the House to House Bill No. 2079.

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

QUESTION DIVIDED

Senator ZEMPRELLI. Mr. President, I would ask that amendment A2194 be divided from the total amendments and be treated as a separate item for vote and consideration.

The PRESIDENT pro tempore. Senator Zemprelli wishes to divide the question by removing amendment A2194 and having it voted upon separately. The Chair rules that is

entirely in order. That leaves amendment A2193 and amendment A3193 to be voted separately.

Senator ZEMPRELLI. Mr. President, when the Chair advises as to which portion we will consider of the divided amendment, I may want to address myself to a request for voting.

The PRESIDENT pro tempore. The question before the Senate is, will the Senate recede from amendment A2193 and amendment A3193?

Senator Rhoades, would you explain what those two amendments are, for the benefit of the Members, since we have had a request to do that?

Senator RHOADES. Mr. President, I would have to look up the exact amendments to explain singly, but one amendment which the House has not concurred in would require a two-thirds majority.

The PRESIDENT pro tempore. That is not this amendment, Senator. That would be amendment A2194 and that would be what Senator Zemprelli separated out. It is the other two amendments.

Senator RHOADES. Mr. President, the other amendment would limit the term of one commissioner to eight years and no more than that. Then someone else would have to be appointed at that particular time.

Senator ZEMPRELLI. Mr. President, I missed the remarks that were addressed to me.

The PRESIDENT pro tempore. I do not think we have had the explanation of the second amendment yet.

Senator RHOADES. Mr. President, may we be at ease?

The PRESIDENT pro tempore. The Senate will be at ease.

(The Senate was at ease.)

Senator RHOADES. Mr. President, amendment A2193 deals with the limitation and the terms of no more than eight years for any commission member. The other amendment—I am trying to find the number on it—deals with striking out technical sections which clarify amendment A2193 and others which are not appropriate. Amendment A2194 changes the standing from a majority and inserting two-thirds.

The PRESIDENT pro tempore. That is separated out. We are on amendment A2193 and amendment A3193.

The question is whether the Senate will recede from those two amendments.

Senator ZEMPRELLI. Mr. President, I think we are dealing with the subject matter here that we do not deal with every day of the week, and I think the Chair would be well-advised to put the question in such a fashion that we may advise our respective caucuses as to the import of how the issue is presented since it is a recession from amendments.

Senator STAUFFER. Mr. President, am I not correct that an "aye" vote is to agree with the gentleman from Schuylkill, Senator Rhoades, that we should recede, and a "no" vote would be not to recede?

The PRESIDENT pro tempore. That is correct. It is my understanding that this motion is agreed to. Recession from the amendments would constitute final passage.

And the question recurring,
Will the Senate recede from amendments A2193 and A3193?

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

YEAS—48

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

NAYS—1

Kelley

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

The PRESIDENT pro tempore. Amendment A2193 and amendment A3193 are receded from.

On the question,

Will the Senate recede from amendment A2194?

Senator STAUFFER. 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.)

Senator RHOADES. Mr. President, a "no" vote would support two-thirds. An "aye" vote would support majority, or the move I have made to recede, and, therefore, maintain what was kept by the House, and that would be a majority vote.

Senator ZEMPRELLI. Mr. President, I assume the question will be put in such a fashion that those voting "aye" will be for supporting a majority, those voting "no" will be for supporting two-thirds for confirmation.

The PRESIDENT pro tempore. I believe you and Senator Rhoades agree on that.

Senator WILT. Mr. President, this represents one of the typical dilemmas we find ourselves in around this arena quite often where we have those ideas where we would know how we would like things to be, and then there is the reality of all of the players coming in and some accommodations being made to reach some kind of an objective. I intend to vote "aye."

Those who are advocates of the two-thirds, I recognize and I appreciate their stand, and in a vacuum I would be supportive of that. My concern this evening is, however, that this recodification get to the Governor's desk and quit being bounced around the legislative arena. I guess it is pretty much that simple. It is a compromise I am making with myself in order to get this recodification, which has had several hearings, a lot of different attitudes, and there is division within

the sportsmen's community, those people who support the Game Commission and whose licenses are the lifeblood, but, in the name of accomplishment, I am suggesting to my fellow colleagues that we vote "aye."

Senator FUMO. Mr. President, I rise to ask for a "no" vote on this. I have been continuously objecting to the dilution of our authority to maintain two-thirds majority for confirmation. What I see here is a pattern of the House of Representatives that would like to have parity with the Senate and agreements with the Republicans, who are now in the majority, by a slim margin I might add, although one is enough. At this point in time what I see is a complete movement to do away with two-thirds confirmation.

I do not think we should be doing that as a Senate. I think as much as the House would like to have parity with the Senate, it will not happen. If House Members want to vote on confirmations, they should run for the Senate. In the same way, I do not think, although maybe it will happen, they will try and run a bill that our terms will be two years and their terms will be four years, or whatever else there is. When the framers of our Constitution designed the current form of government, this was supposed to be the deliberative Body. This was supposed to be the Body which ran every four years as opposed to every two, so that on those emotional issues this Body could backstop some of the things that occur naturally in the House.

One of the things that was given to this Body originally by the Constitution was the two-thirds confirmation process. We saw that abused during the Shapp Administration when there were sine die adjournments and hundreds and hundreds of names were sent over for confirmation to get around that process. Then along the line a compromise was reached whereby some of the boards and commissions would only require a majority. They were what was considered to be the minor boards, although I am sure the people who serve on those boards would not like that characterization, but, in fact, it was true. Those boards that had important statewide impact were maintained at two-thirds, as were the judges. Now what I see is the Senate Majority playing into the hands of the House to dilute and delete the powers of this Chamber.

We may have our differences back and forth across the aisle, and sometimes they may result in us being at loggerheads for a period of time until we can agree on nominees, but I submit that this Chamber has done well over the years and the decades with this process. I think the Majority in this case, if they vote "yes," are being extremely short-sighted about the role of this Chamber. Again, I caution them because it will not be long until this side will be in the Majority and, like it or not, that will occur, as these things are cyclical. I, for one, if we were in the Majority, would still like to see two-thirds, but I will be the first when we get in the Majority to close my ears to the pleas of the other side of the aisle, to those Members who tonight vote on this issue, because if, in fact, you want a simple majority, you are cutting off your input at that time when you are going to want it. I have saved the roll calls of these various votes and I will continue to save

them. On the individual issue where people have voted for majority confirmation, when you need something from us and we are in the Majority, do not bother coming across this aisle and ask, but I really would wish that would not have to occur. I really wish we would stand up for those responsibilities and that authority which is ours. From what I see tonight, that may not occur, but, again, I issue the plea that we do it and urge a "no" vote.

The PRESIDENT pro tempore. The question before the Body is, will the Senate recede from amendment A2194? An "aye" vote is to recede, a "no" vote is not to recede.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair is pleased to welcome back to the floor Senator Scanlon and his temporary Capitol leave is hereby cancelled.

And the question recurring,

Will the Senate recede from amendment A2194?

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

YEAS—23

Armstrong	Hopper	Moore	Shumaker
Bell	Jubelirer	Pecora	Stauffer
Corman	Kelley	Peterson	Tilghman
Fisher	Lemmond	Rhoades	Wenger
Greenleaf	Loeper	Salvatore	Wilt
Helfrick	Madigan	Shaffer	

NAYS—26

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

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

Senator STAUFFER. Mr. President, I move that the Senate do insist on its amendment to House Bill No. 2079.

The PRESIDENT pro tempore. Senator Stauffer moves that the Senate do insist on its amendment nonconcurring in by the House to House Bill No. 2079, more specifically, amendment A2194.

On the question,

Will the Senate agree to the motion?

PARLIAMENTARY INQUIRY

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

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

Senator KELLEY. Mr. President, on clarification of the motion, the motion is insisting on the amendment placed in it and a Committee of Conference be appointed?

The PRESIDENT pro tempore. That was not a part of the motion, Senator.

Senator KELLEY. Mr. President, I would like to make an addition to the motion and add that a Committee of Conference be appointed.

Senator STAUFFER. Mr. President, if the Rules would permit that I may speak on the issue, I can point out to the gentleman that by not adding to the motion that a Committee of Conference be appointed, the bill will go back to the House of Representatives and there will be the opportunity for the House to recede from its position and we could settle the issue without having to go to a Committee of Conference. If the House were to insist upon maintaining its position, the issue then would come back to us and we, at that point, would move to go to a Committee of Conference.

The PRESIDENT pro tempore. The gentleman is correct in his answer.

Senator KELLEY. Mr. President, I understand that. I just thought we would avoid the useless act of traveling back and forth across the Capitol, but I will withdraw my amendatory motion in hopes of expediency.

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

The motion was agreed to.

The PRESIDENT pro tempore. The amendment is insisted on.

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

HB 1375 CALLED UP OUT OF ORDER

HB 1375 (Pr. No. 3841) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 1375 (Pr. No. 3841) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1984 (P. L. 1140, No. 223), entitled "Oil and Gas Act," changing the definition of "owner"; further defining "well" and "well operator"; further providing for the definition of "alteration" and for permit objections, well permits and bonding requirements; adding provisions relating to solid waste; and making a repeal.

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 Sec. 1 (Sec. 103), page 3, line 18, by inserting after "(1)": (A)

Amend Sec. 1 (Sec. 103), page 3, line 19, by inserting after "MINE;": and

Amend Sec. 1 (Sec. 103), page 3, line 20, by striking out "(2)" and inserting: (B)

Amend Sec. 1 (Sec. 103), page 3, line 24, by inserting after "ACT;": and

Amend Sec. 1 (Sec. 103), page 3, line 25, by striking out "(3)" and inserting: (C)

Amend Sec. 1 (Sec. 103), page 3, line 27, by striking out "(4)" and inserting: (2)

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.

HB 447 CALLED UP OUT OF ORDER

HB 447 (Pr. No. 3762) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED AND OVER IN ORDER TEMPORARILY

HB 447 (Pr. No. 3762) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," further providing for membership, vacancies, salaries, qualifications and confirmation of board members; further providing for an advisory committee; reestablishing the board for a period of time; further providing for notification of victims and for consideration of their opinions prior to granting parole; and further providing for powers and duties of the board.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 4 (Sec. 17.1), page 8, line 30, page 9, line 1, by striking out "SEVENTY-FIVE PERCENT (75%)" and inserting: sixty-five percent (65%)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

AMENDMENT OFFERED

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

Amend Title, page 1, line 18, by striking out the comma after "SALARIES" and inserting: and

Amend Title, page 1, line 18, by striking out "AND CONFIRMATION"

Amend Sec. 1 (Sec. 2), page 2, line 12, by striking out the bracket before "TWO-THIRDS"

Amend Sec. 1 (Sec. 2), page 2, lines 12 and 13, by striking out]
A MAJORITY"

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, the amendment would simply restore a two-thirds vote for confirmation. All

the remarks that were made by the gentleman from Philadelphia, Senator Fumo, before me, as to the reasons for it would be restated by me. I think they are as germane to this as they were to the Game Commission bill, and I would ask for an affirmative vote.

Senator STAUFFER. Mr. President, I would point out to the Members of the Republican caucus that this is an amendment we had not known about when we caucused, so it is one that had not been discussed. I would further point out, Mr. President, to all the Members of the Senate that current law provides for majority confirmation. I believe we should maintain current law and, therefore, would ask for a negative vote on the amendment.

The PRESIDENT pro tempore. The question before the Body is, will the Senate agree to the amendment on a two-thirds confirmation as offered by Senator Zemprelli to House Bill No. 447?

Senator ZEMPRELLI. 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.)

AMENDMENT WITHDRAWN

Senator ZEMPRELLI. Mr. President, I would ask that the amendment be withdrawn and that the bill go over temporarily to verify the averment made by the Majority Leader as to the present standing of the law.

The PRESIDENT pro tempore. Senator Zemprelli has withdrawn the amendment which he just offered to House Bill No. 447 and asks that the bill go over temporarily. The Chair hears no objection. The amendment will be withdrawn. House Bill No. 447 will go over temporarily in its order.

SB 1445 CALLED UP OUT OF ORDER

SB 1445 (Pr. No. 2238) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

SB 1445 (Pr. No. 2238) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 1, 1974 (P. L. 90, No. 24), entitled "Pennsylvania Pesticide Control Act of 1973," further providing for licensing of commercial applicator firms, for licensing and certification of commercial applicators and public applicators, for registration and training of certain noncertified employees, for increased recordkeeping requirements, for additional enforcement authority and additional authority on product registration data review, and for increase of fees.

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 Sec. 4 (Sec. 8), page 10, line 28, by striking out "use in the preparation of antidotes" and inserting: purposes of providing health care treatment

Amend Bill, page 19, by inserting between lines 11 and 12:

Section 10. The act is amended by adding a section to read:

Section 23.1. Temporary Suspensions.—A license or certificate issued under this act may be temporarily suspended under circumstances as determined by the secretary to be an immediate and clear danger to the public health and safety. The secretary shall issue an order to that effect, without a hearing but upon due notice, to the licensee or certificate holder concerned at his or her last known address, which shall include a written statement of all allegations against the licensee or certificate holder. The secretary shall thereupon commence formal action to suspend, revoke and restrict the license or certificate of the person concerned as otherwise provided for in this act. All actions shall be taken promptly and without delay. Within thirty days following the issuance of an order temporarily suspending a license, the secretary shall conduct, or cause to be conducted, a preliminary hearing to determine that there is a prima facie case supporting the suspension. The licensee or certificate holder whose license or certificate has been temporarily suspended may be present at the preliminary hearing and may be represented by council, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings. If it is determined that there is not a prima facie case, the suspended license shall be immediately restored. The temporary suspension shall remain in effect until vacated by the secretary, but in no event longer than one hundred eighty days.

Amend Sec. 10, page 19, line 12, by striking out "10" and inserting: 11

Amend Sec. 11, page 21, line 18, by striking out "11" and inserting: 12

Amend Sec. 12, page 22, line 26, by striking out "12" and inserting: 13

Amend Sec. 13, page 22, line 27, by striking out "13" and inserting: 14

Amend Sec. 14, page 24, line 14, by striking out "14. Sections 35, 37 and 38" and inserting: 15. Sections 35 and 37

Amend Bill, page 25, by inserting between lines 11 and 12:

Section 16. The act is amended by adding a section to read:

Section 37.1. Fees, Fines and Civil Penalties.—All fees imposed by this act shall remain in effect until changed by the secretary by regulation subject to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act." If the revenues raised by fees, fines and civil penalties imposed under this act are not sufficient to meet expenditures for the administration and enforcement of this act over a two-year period, the secretary shall increase those fees by regulation so that the projected revenues will meet or exceed projected expenditures.

Section 17. Section 38 of the act is amended to read:

Amend Sec. 15, page 25, line 24, by striking out "15" and inserting: 18

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

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

Amend Sec. 8 (Sec. 16.2), page 16, line 26, by striking out "two or more"

Amend Sec. 11 (Sec. 25.1), page 22, line 2, by inserting a period after "site"

Amend Sec. 11 (Sec. 25.1), page 22, lines 2 and 3, by striking out "TO THE EXTENT THAT prior notification is required by pesticide labels."

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.

HB 35 CALLED UP OUT OF ORDER

HB 35 (Pr. No. 3839) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 35 (Pr. No. 3839) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), known as "The General County Assessment Law," providing for refunds for errors in assessments; and further providing for appeals of assessments.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 3 (Sec. 518.2), page 3, line 22, by inserting after "TAXES.": In the event subsequent years have been made a part of the appeal, the court shall determine the respective market value for each such year.

Amend Sec. 3 (Sec. 518.2), page 3, line 26, by inserting after "TAXES.": In the event subsequent years have been made a part of the appeal, the court shall determine the respective common level ratio for each such year.

Amend Sec. 3 (Sec. 518.2), page 3, line 28, by inserting after "QUESTION]": pursuant to subsection (a)(1)

Amend Sec. 3 (Sec. 518.2), page 3, line 29, by inserting after "THE" where it appears the second time: corresponding

Amend Sec. 3 (Sec. 518.2), page 3, line 30; page 4, lines 1 and 2, by striking out "WHICH WAS APPLICABLE IN THE ORIGINAL APPEAL" in line 30, page 3, all of lines 1 and 2, page 4 and inserting: determined pursuant to subsection (a)(2)

Amend Sec. 3 (Sec. 518.2), page 4, line 5, by striking out the bracket before "THE"

Amend Sec. 3 (Sec. 518.2), page 4, line 5, by striking out '] THAT SAME' and inserting: respective

Amend Sec. 3 (Sec. 518.2), page 4, line 6, by inserting after "CURRENT]": corresponding

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 CORMAN.

HB 146 CALLED UP OUT OF ORDER

HB 146 (Pr. No. 3843) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 146 (Pr. No. 3843) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the realty transfer tax.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 4 (Sec. 1102-C.3), page 16, line 22, by inserting after "VALUE.": For leases of coal, oil, gas or minerals, the statement of value may be limited to an explanation of why such document is not subject to tax under this article.

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 STAUFFER.

HB 2554 CALLED UP OUT OF ORDER

HB 2554 (Pr. No. 3670) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 2554 (Pr. No. 3670) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1, page 1, line 9, by striking out "\$8,909,000" and inserting: \$8,753,000

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, may we be at ease for one moment?

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

Senator ZEMPRELLI. Mr. President, we are satisfied that the amendment is in order and agreed to.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. House Bill No. 2554 will go over in its order, as amended.

HB 2454 CALLED UP OUT OF ORDER

HB 2454 (Pr. No. 3836) — Without objection, the bill was called up out of order, from page 7 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 2454 (Pr. No. 3836) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the use of State funds to expand a special supplemental food program for women, infants and children.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 1, by striking out "Providing for" and inserting: Authorizing

Amend Sec. 4, page 3, line 1, by striking out "shall" and inserting: is hereby authorized to

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, may we be at ease? I do not believe we have seen this amendment.

The PRESIDENT pro tempore. The Senate will be at ease.

(The Senate was at ease.)

Senator STAUFFER. Mr. President, for the gentleman's benefit, I can point out that it is a technical amendment and had been submitted.

Senator ZEMPRELLI. Mr. President, may we be at ease?

The PRESIDENT pro tempore. We may. 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. 2454 will go over in its order, as amended.

SB 838 CALLED UP OUT OF ORDER

SB 838 (Pr. No. 2243) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

SB 838 (Pr. No. 2243) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the treatment of dangerous juvenile offenders.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 6302), page 3, line 22, by inserting after "proceeding": for other than a summary offense

Amend Sec. 2 (Sec. 6308), page 7, line 1, by inserting after "HAS": , on the basis of a felony or a violation of 18 Pa.C.S. Ch. 61 Subch. A (relating to uniform firearms act),

Amend Sec. 2 (Sec. 6308), page 7, line 7, by striking out "convicted" and inserting: found guilty

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 GREENLEAF.

SB 223 CALLED UP OUT OF ORDER

SB 223 (Pr. No. 2308) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

SB 223 (Pr. No. 2308) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 30, 1811 (P. L. 145, No. 99), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purposes," authorizing deferred compensation programs for State employees; and providing procedures for the establishment and administration of deferral compensation programs for officers and employees of the Commonwealth and political subdivisions.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 7, by striking out "DEFERRAL" and inserting: deferred

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, may we be at ease?

The PRESIDENT pro tempore. We may. The Senate will be at ease.

(The Senate was at ease.)

Senator ZEMPRELLI. Mr. President, I am satisfied to proceed.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. Senate Bill No. 223 will go over in its order, as amended.

HB 349 CALLED UP OUT OF ORDER

HB 349 (Pr. No. 3637) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 349 (Pr. No. 3637) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles required to stop at railroad crossings and the titling of all-terrain vehicles.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

STAUFFER AMENDMENT

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

Amend Title, page 1, lines 3 and 4, by striking out "VEHICLES REQUIRED TO STOP AT RAILROAD CROSSINGS AND"

Amend Sec. 1, page 2, line 7, by striking out "SECTIONS 3342 AND" and inserting: Section

Amend Sec. 1, page 2, line 8, by striking out "ARE" and inserting: is

Amend Sec. 1 (Sec. 3342), page 2, lines 9 through 30; page 3, lines 1 through 22, by striking out all of said lines on said pages

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

MADIGAN AMENDMENT

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

Amend Title, page 1, line 4, by removing the period after "VEHICLES" and inserting: ; and providing for sovereign immunity for designating certain areas as snowmobile or ATV routes.

Amend Sec. 4 (Sec. 7712.1), page 7, lines 16 and 17, by striking out "THE TIME SPECIFIED IN THE DEPARTMENT REGULATIONS" and inserting: 45 days

Amend Bill, page 14, by inserting between lines 21 and 22:

Section 5. Section 7724 of Title 75 is amended by adding a subsection to read:

§ 7724. Operation on private or State property.

(c) Liability.—There shall be no liability imposed on the department or any other State agency as a result of designating any State-owned property as a snowmobile or ATV route as provided in subsection (b).

Amend Sec. 5, page 14, line 22, by striking out "5" and inserting: 6

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

PETERSON AMENDMENT

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

Amend Title, page 1, line 3, by inserting after "offenses-": vehicles exempt from registration,

Amend Bill, page 2, by inserting between lines 6 and 7:

Section 1. Section 1302 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read: § 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

(18) Any farm and garden vehicle under 16 horsepower driven incidentally upon a highway, as determined by the department.

Amend Sec. 1, page 2, line 7, by striking out "1" and inserting: 2

Amend Sec. 1, page 2, lines 7 and 8, by striking out "OF THE PENNSYLVANIA CONSOLIDATED STATUTES"

Amend Sec. 2, page 4, line 11, by striking out "2" and inserting: 3

Amend Sec. 3, page 4, line 19, by striking out "3" and inserting: 4

Amend Sec. 4, page 5, line 10, by striking out "4" and inserting: 5

Amend Sec. 5, page 14, line 22, by striking out "5" and inserting: 6

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 PETERSON.

SB 936 CALLED UP OUT OF ORDER

SB 936 (Pr. No. 2275) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator STAUFFER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 936 (Pr. No. 2275) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; requiring coverage benefits for the treatment of mental disorders; providing for coverage of cancer treatment; requiring specific patient authorization of medical care in order for medical insurance to reimburse for medical care provided; and adding a sunset provision.

Senator STAUFFER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 936, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

HB 2098 CALLED UP OUT OF ORDER

HB 2098 (Pr. No. 3028) — Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AMENDED

HB 2098 (Pr. No. 3028) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 561, No. 112), known as the "Pennsylvania Conservation Corps Act," further providing for eligibility and referrals, for the wages of crewleaders and for guidelines and regulations; making an appropriation; and making a repeal.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, lines 3 and 4, by striking out "ELIGIBILITY AND" and inserting: eligibility, compensation and

Amend Sec. 1, page 1, line 9, by inserting after "6,": 7(a),

Amend Sec. 1, page 1, line 9, by inserting after "8(e)": and (f)

Amend Sec. 1 (Sec. 6), page 2, line 22, by inserting after "applicants": between the ages of 18 and 21

Amend Sec. 1, page 2, by inserting after line 30:

Section 7. Compensation.

(a) Six-month term.—Corpsmembers shall be employed for a period not to exceed six months except in areas where the Office of Employment Security has determined that no other applicants are available for referral to fill corpsmember positions. If no applicants are available, corpsmembers who have successfully completed their six-month enrollment may be eligible for a second six-month term. The department shall refer the names of corpsmembers who successfully complete their employment in the corps to the Office of Employment Security for assistance in securing private sector employment or for enrollment in additional job training programs. The department may also provide the names of participants who successfully complete their employment in the corps to private sector employers requesting referrals, with the approval of the participant.

Amend Sec. 1 (Sec. 8), page 3, by inserting between lines 5 and 6:

(f) Benefits.—Crewleaders shall not be entitled to any employee benefits provided to existing employees of the department or of other State or local agencies except for workmen's compensation coverage which shall be provided through the funds appropriated to carry out this act[, nor shall service as a crewleader qualify an individual for benefits under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law].

Amend Sec. 1 (Sec. 11), page 3, line 8, by inserting a bracket before "(a)"

Amend Sec. 1 (Sec. 11), page 3, line 8, by striking out the brackets before and after "One-year"

Amend Sec. 1 (Sec. 11), page 3, line 8, by striking out "Temporary"

Amend Sec. 1 (Sec. 11), page 3, line 8, by inserting a bracket after "review.—"

Amend Sec. 1 (Sec. 11), page 3, line 18, by inserting a bracket before ", and,"

Amend Sec. 1 (Sec. 11), page 3, line 19, by striking out the bracket before "for"

Amend Sec. 1 (Sec. 11), page 3, line 20, by striking out "until July 2, 1987"

Amend Sec. 1 (Sec. 11), page 3, line 21, by inserting a bracket before "(b)"

Amend Sec. 1 (Sec. 11), page 3, line 22, by striking out the bracket before "the"

Amend Sec. 1 (Sec. 11), page 3, lines 22 and 23, by striking out "'] July 2, 1987"

Amend Sec. 1 (Sec. 11), page 3, line 27, by striking out the bracket before the comma

Amend Sec. 1 (Sec. 11), page 4, line 1, by striking out the bracket after "(a)"

Amend Sec. 1 (Sec. 11), page 4, line 1, by inserting a bracket after "(a)."

Amend Sec. 1 (Sec. 12), page 4, line 6, by striking out "\$19,720,000" and inserting: \$20,720,000

Amend Sec. 2, page 4, line 22, by striking out all of said line and inserting:

Section 2. Section 13 of the act is amended to read: Section 13. Expiration.

This act and the Pennsylvania Conservation Corps program shall expire June 30, [1986] 1988.

On the question,

Will the Senate agree to the amendment?

Senator ZEMPRELLI. Mr. President, may we be at ease?

The PRESIDENT pro tempore. We may. The Senate will be at ease.

(The Senate was at ease.)

Senator ZEMPRELLI. Mr. President, we have no further need to be at ease at the moment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT pro tempore. House Bill No. 2098 will go over in its order, as amended.

HB 2118 CALLED UP OUT OF ORDER

HB 2118 (Pr. No. 2873) — Without objection, the bill was called up out of order, from page 7 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2118 (Pr. No. 2873) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the "Engineering School Equipment Act," further specifying requirements for grants under the program.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 9, by removing the period after "program" and inserting: ; extending the expiration date of the act; and making an appropriation.

Amend Sec. 1, page 1, line 12, by striking out "Section 3(c)" and inserting: Sections 3(c) and 6

Amend Sec. 1, page 1, line 13, by striking out "is" and inserting: are

Amend Sec. 1 (Sec. 3), page 2, line 1, by inserting after "program": paid to engineering degree-granting schools from the sum originally appropriated under this act. For grants funded by any subsequent appropriation at least \$2 of private funds shall be required for each \$1 of grant funds from this program.

Amend Bill, page 2, line 7, by striking out all of said line and inserting:

Section 6. Expiration.

This act shall expire June 30, [1987] 1990.

Section 2. The sum of \$10,000,000 is hereby appropriated from the Pennsylvania Economic Revitalization Fund to the Ben Franklin Partnership Fund for grants to engineering degree-granting schools for acquiring and upgrading engineering equipment. This appropriation shall be in addition to any amounts previously appropriated and shall be a continuing appropriation and shall not lapse until June 30, 1990. Any funds from this appropriation remaining unexpended or unencumbered upon the termination of this act shall automatically lapse into the Pennsylvania Economic Revitalization Fund.

Section 3. This act shall take effect July 1, 1986.

On the question,

Will the Senate agree to the amendment?

Senator REIBMAN. Mr. President, I will be very brief. You will recall that last Session we appropriated \$3 million to the schools of engineering if they would raise \$3.00 to every \$1.00 that the state would give them in order to update and modernize their engineering equipment. The reason for that bill was because many of the engineering schools had obsolete equipment, so when their graduates went out into the business world in the engineering jobs that they had, they were not fully educated and equipped to man the kind of equipment which the companies already had. All this bill does is continue the program, saying that at least \$2.00 of private funds should be required for every dollar the state would grant. We have increased the sum to \$10 million to be appropriated from the Pennsylvania Economic Revitalization Fund to the Ben Franklin Partnership for them to give out the grants.

Senator STAUFFER. Mr. President, I would ask for a negative vote on the amendment. I would point out, as the lady from Northampton, Senator Reibman, has explained, this amendment would cost \$10 million. We have already negotiated the budget for the coming fiscal year and there is not \$10 million remaining in the PERF fund or any other fund to cover the expenditure that would be called for by the amendment. We cannot cover it and, therefore, I would be forced to ask for a negative vote, irrespective of what the merits of the issue might be.

Senator ZEMPRELLI. Mr. President, there is deep irony in what the gentleman has said. I recall last year the fact that we had made a request for \$10 million because of the critical need for our engineering schools to upgrade their equipment because it was in such bad shape for teaching purposes. The technical world had preceded our schools and they were much behind. We were able to get \$3 million because of the efforts of the Senate and House. There was an honest and genuine belief that would be a recurring appropriation. Much to our dismay, it was not recurring. Interestingly enough, we learned very recently—at least I just learned very recently—that the PERF fund was not even created until very recently, and the significance of that was that \$105 million was just recently transferred from last year's budget. The importance of that is the accrued interest. The accrued interest on those amounts of money went into the General Fund to beef up the General Fund and to probably reflect in the surplus that is before us. Had those monies been transferred in the PERF fund, invested in the PERF fund as such, the earned interest would have amounted to between \$7 million and \$8 million. The suggestion is—and I believe I am accurate—that there is \$7 million to \$8 million short in the PERF fund simply because the Governor chose not to create and transfer the monies to that fund. The lady's request is extremely reasonable in light of the problem. If it was not created by virtue of the failure to transfer, then let us transfer it. Let us accept the obligation and let us do what is right. That is what this amendment is all about, and I am asking for a "yes" vote on the amendment of the lady from Northampton, Senator Reibman.

And the question recurring,

Will the Senate agree to the amendment?

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

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—24

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

NAYS—26

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

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?

LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor and welcomes back Senator Howard. His temporary personal leave will be cancelled.

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

Senator ZEMPRELLI. Mr. President, I would like to request temporary Capitol leaves on behalf of Senator Ross and Senator Fumo.

The PRESIDENT pro tempore. Senator Zemprelli has requested temporary Capitol leaves for Senator Ross and Senator Fumo. The Chair hears no objection. The leaves will be granted.

ANNOUNCEMENT BY MAJORITY LEADER

Senator STAUFFER. Mr. President, I have an important announcement for all the Members. I know everyone is anxiously wondering about food, and I can report that I have been advised the food should arrive in about fifteen to twenty minutes, so just a bit more patience and we will have a break for dinner.

SPECIAL ORDER OF BUSINESS

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

As a Special Order of Business, motion was made by Senator BRIGHTBILL,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE PENNSYLVANIA
FISH COMMISSION**

May 30, 1986.

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 Leon H. Reed, Jr. (District Seven), R. D. 3, Box 1710, Honesdale 18431, Wayne County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1992, and until his successor is appointed and qualified, vice Jerome Southerton, Honesdale, whose term expired.

DICK THORNBURGH.

**MEMBER OF THE PENNSYLVANIA
FISH COMMISSION**

May 30, 1986.

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 Ross J. Huhn (District Two), R. D. 2, P. O. Box 156, Saltsburg 15681, Westmoreland County, Thirty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1994, and until his successor is appointed and qualified.

DICK THORNBURGH.

**JUDGE, COMMONWEALTH COURT
OF PENNSYLVANIA**

April 25, 1986.

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 The Honorable Emil E. Narick, 2355 Berkshire Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for appointment as Judge, Commonwealth Court of Pennsylvania, to serve until the first Monday of January, 1988, vice The Honorable Theodore Rogers, mandatory retirement.

DICK THORNBURGH.

JUDGE, COMMONWEALTH COURT
OF PENNSYLVANIA

April 28, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carroll F. Purdy, Jr., Esquire, 211 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Commonwealth Court of Pennsylvania, to serve until the first Monday of January, 1988, vice The Honorable Robert W. Williams, Jr., resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

QUESTION DIVIDED

Senator ZEMPRELLI. Mr. President, I would move to divide the question with respect to the nomination of the judges of the Commonwealth Court and also the Fish Commission. I ask that the nominations be treated individually, Mr. President.

The PRESIDENT pro tempore. Senator Zempirelli has requested a separate roll call on each of the nominees.

Senator BRIGHTBILL. Mr. President, if we are going to divide them, I would like to call up Commonwealth Court Judge, the Honorable Carroll F. Purdy, Jr.

The PRESIDENT pro tempore. Senator Brightbill calls up the nomination of the Honorable Carroll F. Purdy, Jr. to be Judge of the Commonwealth Court. On the question, this requires two-thirds.

On the question,

Will the Senate advise and consent to the nomination of
Carroll F. Purdy, Jr.?

Senator ZEMPRELLI. Mr. President, I request a roll call vote.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—30

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

NAYS—17

Andrezeski	Lincoln	O'Pake	Singel
Fumo	Lynch	Reibman	Stapleton
Hankins	Mellow	Rocks	Stout
Jones	Musto	Ross	Williams
Lewis			

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

RECONSIDERATION OF EXECUTIVE
NOMINATION

NOMINATION LAID ON THE TABLE

Senator BRIGHTBILL. Mr. President, I move that we reconsider the vote by which the nominee failed to be confirmed, and ask that it be placed upon the table.

The PRESIDENT pro tempore. It has been moved by Senator Brightbill that the vote by which the nomination failed to receive a constitutional two-thirds majority be reconsidered and that the nomination lie on the table.

The motion was agreed to.

The PRESIDENT pro tempore. The nomination of the Honorable Carroll F. Purdy, Jr., will be laid on the table.

NOMINATIONS WITHDRAWN FROM
CONSIDERATION

Senator BRIGHTBILL. Mr. President, I withdraw from consideration the nomination of the Honorable Emil E. Narick and the nominations to the Fish Commission.

The PRESIDENT pro tempore. The nominations are withdrawn.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL

June 11, 1986.

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 Arthur W. Brown, 1137 West Elm Street, Scranton 18504, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL

June 11, 1986.

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 Anthony Cammarota, 128 Third Street, Old Forge 18517, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William C. Cole, Sr., 122 Burcher Street, Chinchilla 18410, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Heen, Laurel Hill Road, Box 124, R. D. 3, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL

June 11, 1986.

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 Dominick L. Touch, 1036 Beech Street, Archbald 18403, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE
CONSERVATION COMMISSION

June 11, 1986.

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 Walter R. Rossman, R. D. 3, Box 310, Ebensburg 19531, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 1990, and until his successor is appointed and qualified, but no longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND ITS
NAVIGABLE TRIBUTARIES

June 6, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas W. Styer, III, R. D. 1, Box 250, Langhorne 19047, Bucks County, Sixth Senatorial District, for reappointment as a member of the Navigation Commission for the Delaware River and Its Navigable Tributaries, to serve for a term of four years, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF DIRECTORS
OF THE PENNSYLVANIA ENERGY
DEVELOPMENT AUTHORITY

June 17, 1986.

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 Daniel S. Nagin, 1232 Sheridan Avenue, Pittsburgh 15206, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Energy Development Authority, to serve for a term of four years and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF HAVERFORD STATE HOSPITAL

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph G. Cirillo, 128 East Turnbull Avenue, Havertown 19083, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Trustees of Haverford State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF LAURELTON CENTER

June 13, 1986.

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 Jane B. Troup, Box 483, R. D. 2, Mazeppa, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF LAURELTON CENTER

June 13, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William W. Wilkinson, 10 Round Top Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA MINORITY
BUSINESS DEVELOPMENT AUTHORITY

June 6, 1986.

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 Millicent Hooper, 1416 Cumberland Street, Harrisburg, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 1989, and until her successor shall be duly appointed and qualified, vice Doris C. Williams, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA MINORITY
BUSINESS DEVELOPMENT AUTHORITY

June 6, 1986.

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 Charles Pittman, 4704 Lawnvale Road, Erie 16501, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 1987, and until his successor shall be duly appointed and qualified, vice Edith Benson, Esquire, Erie, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION

June 11, 1986.

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 Stephen W. Campetti, 2438 St. Denis Lane, Havertown 19083, Delaware County, Seventeenth Senatorial District, for reappointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until May 24, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION

June 11, 1986.

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 Edward F. Wunsch, 104 Sharp Lane, Feasterville 19047, Bucks County, Sixth Senatorial District, for reappointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until February 21, 1988, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

June 6, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert A. Grubb, M.D., 800 Broad Street, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

June 6, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. McIlwaine, Ed.D. (Public Member), 53 Brenner Street, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

June 6, 1986.

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 Herbert S. Skuba, 728 Morningstar Drive, Ellwood City 16117, Beaver County, Forty-seventh Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA NURSING
HOME LOAN AGENCY

June 4, 1986.

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 Bruce E. Toll, 1477 Rydal Road, Rydal 19046, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Nursing Home Loan Agency, to serve until October 10, 1988, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF NURSING

June 17, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ann Simpson (Public Member), 491 Margo Lane, Berwyn 19312, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF OCCUPATIONAL THERAPY
EDUCATION AND LICENSURE

June 6, 1986.

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 Nancy L. Beck, Featherbed Lane, Audubon 19403, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF THE PENNSYLVANIA STATE UNIVERSITY

June 13, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William A. Schreyer, 117 Mercer Street, Princeton, New Jersey 08540, Mercer County, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1989, and until his successor is appointed and qualified, vice Marie Walsh, Waynesboro, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF THE PENNSYLVANIA STATE UNIVERSITY

June 13, 1986.

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 Cecile Springer, 5665 Bartlett Street, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1989, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

June 13, 1986.

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 Sara Sattler, 2220 Wightman Street, Apartment 201, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS

June 4, 1986.

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 Celestino R. Pennoni, 3211 Highland Avenue, Drexel Hill 19026, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, to serve until November 17, 1988, or until his successor has been appointed and qualified, but not longer than six months beyond that period, vice James R. Madara, Middletown, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF SELINGROVE CENTER

June 13, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Singer, R. D. 3, Box 278, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF SOMERSET STATE HOSPITAL

June 11, 1986.

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 Harry J. King, R. D. 2, Stoyestown 15563, Somerset County, Thirty-second Senatorial District, for reappointment as a member of the Board of Trustees of Somerset State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF SOUTH MOUNTAIN RESTORATION CENTER

June 13, 1986.

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 the Reverend Daniel Sanstedt, R. D. 3, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 11, 1986.

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 Roy O. Christman, R. D. 1, Box 119, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF WERNERSVILLE STATE HOSPITAL

June 11, 1986.

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 Redith F. Snoberger, R. D. 5, Box 529, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER

June 11, 1986.

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 Scott Benninger, R. D., Drums 18222, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Victor F. Greco, M.D., Drums, whose term expired.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER

June 11, 1986.

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 Patricia B. Hametz, 818 North Street, Weatherly 18255, Carbon County, Twenty-ninth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF WOODVILLE STATE HOSPITAL

June 17, 1986.

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 Pasquale DeBlasio, 132 Pennsylvania Avenue, Bridgeville 15017, Allegheny County, Thirty-seventh Senatorial District for appointment as a member of the Board of Trustees of Woodville State Hospital, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Mildred Jordan, Pittsburgh, whose term expired.

DICK THORNBURGH.
MEMBER OF THE ALLEGHENY COUNTY
BOARD OF ASSISTANCE

June 4, 1986.

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 Rudolf E. Wittman (Democrat), 663 Shady Drive East, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Allegheny County Board of Assistance, to serve until December 31, 1988, and until his successor is duly appointed and qualified, to add to complement.

DICK THORNBURGH.

MEMBER OF THE COLUMBIA COUNTY
BOARD OF ASSISTANCE

June 4, 1986.

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 Don Bridenstine (Republican), P. O. Box 615, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1988, and until his successor is duly appointed and qualified, to add to complement.

DICK THORNBURGH.

MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

June 6, 1986.

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 Charles W. Constable, (Republican), Long Level Road, Johnsonburg 15845, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1988, and until his successor is duly appointed and qualified, to add to complement.

DICK THORNBURGH.

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

June 6, 1986.

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 Mary Mackowski, (Republican), 30 Laurel Drive, Bradford 16701, McKean County, Twenty-fifth Senatorial District, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 1988, and until her successor is duly appointed and qualified, to add to complement.

DICK THORNBURGH.

DISTRICT JUSTICE

June 17, 1986.

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 Edward M. Lewis, 131 South Street, Jim Thorpe 18229, Carbon County, Twenty-ninth Senatorial District, for appointment as District Justice in and for the County of Carbon, Magisterial District 56-3-01, to serve until the first Monday of January, 1988, vice Harry E. Heydt, resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

Senator KELLEY. Mr. President, I ask for a separate vote on the nomination to the Board of Trustees of The Pennsylvania State University for William A. Schreyer.

The PRESIDENT pro tempore. Senator Kelley has asked that William A. Schreyer be considered separately.

Senator BRIGHTBILL. Mr. President, I have no objection.

The PRESIDENT pro tempore. The Clerk will remove the name of William A. Schreyer for the Board of Trustees of The Pennsylvania State University, and it will be run separately.

On the question,

Will the Senate advise and consent to the nominations, with the exception of William A. Schreyer?

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

YEAS—48

Andrezeski	Hess	Madigan	Salvatore
Armstrong	Holl	Mellow	Shaffer
Bell	Hopper	Moore	Shumaker
Bodack	Howard	Musto	Singel
Brightbill	Jones	O'Pake	Stapleton
Corman	Jubelirer	Pecora	Stauffer
Early	Kelley	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 Governor be informed accordingly.

On the question,

Will the Senate advise and consent to the nomination of William A. Schreyer as a member of the Board of Trustees of The Pennsylvania State University?

Senator KELLEY. Mr. President, I do not know William A. Schreyer but, if I did, I do not know that I would urge an affirmative vote. The information provided to us is that the gentleman is a resident of the State of New Jersey. This is for the trusteeship of the Pennsylvania State University of the Commonwealth of Pennsylvania, a land grant college of this Commonwealth. This nominee comes to us on the nomination of His Excellency, the Governor of the Commonwealth of Pennsylvania. He is up for confirmation by the Senate of the Commonwealth of Pennsylvania, and it behooves me to

believe that the Governor could not find a person equally or more competent within the ranks of the citizens of the Commonwealth of Pennsylvania to serve in this capacity. I believe it is an insult to the eleven million plus people of this Commonwealth, an insult to the land grant college, The Pennsylvania State University, and an insult to the Senate of the Commonwealth of Pennsylvania. I do not know the gentleman. He may be of the highest competency and integrity, but it is the concept that he is not a resident of this Commonwealth and I urge a negative vote on that basis.

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—46

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

NAYS—2

Kelley Lincoln

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CONSIDERATION OF CALENDAR RESUMED

HB 1306 CALLED UP OUT OF ORDER

HB 1306 (Pr. No. 3711) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL RECOMMENDED

HB 1306 (Pr. No. 3711) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," providing for wine-based and malt-based beverages; and exempting ceramic commemorative bottle collections from certain provisions of this act.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 9, page 10, line 9, by striking out "in 60 days" and inserting: immediately

On the question,

Will the Senate agree to the amendment?

POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Philadelphia, Senator Salvatore, will state it.

Senator SALVATORE. Mr. President, I would like to be excused from voting on any amendments on this piece of legislation because my family would have a financial interest and they can gain by this bill being passed.

The PRESIDENT pro tempore. The gentleman is part of a class and, as such, being a part of the class and since he is not the only person in the Commonwealth who would have this interest, he would be required to vote.

MOTION TO RECOMMIT

Senator LINCOLN. Mr. President, with the heavy legislative schedule that we have before us today and tomorrow, and whatever, in trying to resolve the budget and the fact there are quite a few amendments that are being prepared to be offered to this bill and they are amendments that have traditionally taken an extremely long time in debate, I would move that House Bill No. 1306, Printer's No. 3711, be recommitted to the Committee on Law and Justice with the hope that by the time we get back in September, these amendments can be dealt with in committee.

On the question,

Will the Senate agree to the motion?

Senator ZEMPRELLI. Mr. President, I request a roll call vote.

Senator SHUMAKER. Mr. President, I would ask for a negative vote because the three amendments I have to offer, I think, would probably be agreed-to amendments if this motion goes down.

Senator SCANLON. Mr. President, I would like to request a negative vote on the motion to recommit.

And the question recurring,

Will the Senate agree to the motion?

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

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—26

Andrezeski	Helfrick	Loeper	Rocks
Armstrong	Hess	Lynch	Romanelli
Bodack	Holl	Mellow	Ross
Brightbill	Jones	Musto	Stout
Early	Kratzer	Pecora	Wenger
Fumo	Lewis	Peterson	Zemprelli
Hankins	Lincoln		

NAYS—23

Bell	Jubelirer	Reibman	Stapleton
Corman	Kelley	Rhoades	Stauffer
Fisher	Lemmond	Scanlon	Tilghman
Greenleaf	Madigan	Shaffer	Williams
Hopper	Moore	Shumaker	Wilt
Howard	O'Pake	Singel	

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

The PRESIDENT pro tempore. House Bill No. 1306 will be recommitted to the Committee on Law and Justice.

RECONSIDERATION OF HB 1306

BILL RECOMMITTED

HB 1306 (Pr. No. 3711) — Senator SHUMAKER. Mr. President, I move to reconsider the vote by which House Bill No. 1306, Printer's No. 3711, was recommitted to the Committee on Law and Justice on third consideration.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the motion to recommit House Bill No. 1306 to the Committee on Law and Justice?

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

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

The PRESIDENT pro tempore. The lady will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—25

Andrezeski	Helfrick	Loeper	Romanelli
Armstrong	Holl	Lynch	Ross
Bodack	Jones	Mellow	Stout
Brightbill	Kratzer	Musto	Wenger
Early	Lewis	Pecora	Williams
Fumo	Lincoln	Peterson	Zemprelli
Hankins			

NAYS—23

Bell	Howard	Reibman	Singel
Corman	Jubelirer	Rhoades	Stapleton
Fisher	Kelley	Rocks	Stauffer
Greenleaf	Lemmond	Scanlon	Tilghman
Hess	Madigan	Shaffer	Wilt
Hopper	Moore	Shumaker	

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

The PRESIDENT pro tempore. House Bill No. 1306 will be recommitted to the Committee on Law and Justice.

REMARKS BY MAJORITY LEADER

Senator STAUFFER. Mr. President, with the forbearance of the Members, it will only take a moment or two to deal with Senate Supplemental Calendar No. 3, and having done that, it will move our process along measurably before we break for dinner.

The PRESIDENT pro tempore. I have no doubt we have many forbearing Members and we will proceed.

SUPPLEMENTAL CALENDAR NO. 3

HB 792 CALLED UP OUT OF ORDER

HB 792 (Pr. No. 3846) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AMENDED

HB 792 (Pr. No. 3846) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Small Business Incubators Act," approved July 2, 1984 (P. L. 555, No. 111), further providing for grants, loans and loan guarantees; and removing provisions relating to guidelines and regulations.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 5), page 9, line 27, by inserting a bracket before "AND"

Amend Sec. 1 (Sec. 5), page 9, line 30, by inserting a bracket after "ACT"

Amend Sec. 3, page 10, line 30, by striking out "FILED" and inserting: approved

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 STAUFFER.

HB 2100 CALLED UP OUT OF ORDER

HB 2100 (Pr. No. 3847) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2100 (Pr. No. 3847) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," further providing for technical assistance, financial assistance, and criteria for evaluating applications; providing for grants; and removing provisions relating to guidelines and regulations.

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—49

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

NAYS—0

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

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

HB 2101 CALLED UP OUT OF ORDER

HB 2101 (Pr. No. 3848) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2101 (Pr. No. 3848) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Business Infrastructure Development Act," approved July 2, 1984 (P. L. 520, No. 105), further providing for loans and grants and their requirements and conditions; and removing provisions relating to guidelines and regulations.

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—49

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

NAYS—0

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

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

HB 2103 CALLED UP OUT OF ORDER

HB 2103 (Pr. No. 3849) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2103 (Pr. No. 3849) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing a program within the Department of Commerce to provide technical and financial assistance to manufacturers to enable them to remain technologically competitive in their fields and providing funds for technology assessments and professional services, and loans for technological improvements.

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—49

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

NAYS—0

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

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

HB 2104 CALLED UP OUT OF ORDER

HB 2104 (Pr. No. 3850) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2104 (Pr. No. 3850) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 1, 1978 (P. L. 584, No. 109), known as the "Milrite Act," further providing for powers and duties of council, and for the operation and functions of area labor management committees.

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—49

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

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

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.

RECESS

Senator STAUFFER. Mr. President, at this time I would ask that the Senate stand in recess for the purpose of nourishment for the Members.

The PRESIDENT pro tempore. Do you want to estimate when you want to bring the Senate back?

Senator STAUFFER. Mr. President, 9:30 p.m. would sound like a good time.

The PRESIDENT pro tempore. Senator Stauffer has requested a recess of the Senate for the purpose of nourishment for Members of the Senate and expects to call the Senate back at approximately 9:30 p.m. For that purpose, the Senate will, indeed, stand in recess.

AFTER RECESS

The PRESIDING OFFICER (Richard A. Tilghman) in the Chair.

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

COMMITTEE OF CONFERENCE APPOINTED ON SB 560

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators STAUFFER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 560.

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

COMMITTEE OF CONFERENCE APPOINTED ON SB 1277

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators STAUFFER, LOEPER and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1277.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1416**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, STAUFFER and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1416.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1447**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, STAUFFER and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1447.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1461**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, BRIGHTBILL and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1461.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1462**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, BRIGHTBILL and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1462.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1463**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, BRIGHTBILL and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1463.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1466**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, BRIGHTBILL and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1466.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1468**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, BRIGHTBILL and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1468.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON SB 1556**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, STAUFFER and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 1556.

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

**COMMITTEE OF CONFERENCE
APPOINTED ON HB 209**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of

Senators HESS, STAUFFER and LINCOLN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 209.

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

COMMITTEE OF CONFERENCE APPOINTED ON HB 1832

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SHAFFER, LOEPER and SINGEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1832.

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

CHANGE IN COMMITTEE OF CONFERENCE ON SB 774

The PRESIDING OFFICER. The Chair wishes to announce the President pro tempore has appointed Senator Ralph W. Hess to replace Senator Edward L. Howard on a Committee of Conference on Senate Bill No. 774.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the following Committees of Conference to meet off the floor during today's Session: Senate Bill No. 1416, Senate Bill No. 1447, Senate Bill No. 1461, Senate Bill No. 1462, Senate Bill No. 1463, Senate Bill No. 1466, Senate Bill No. 1468, House Bill No. 383 and Senate Bill No. 1556.

RECESS

Senator STAUFFER. Mr. President, I request a recess of the Senate to the call of the Chair.

The PRESIDING OFFICER. At the request of Senator Stauffer, the Senate will stand in recess to the call of the Chair.

AFTER RECESS

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

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

CONSIDERATION OF CALENDAR RESUMED

HB 1160 CALLED UP OUT OF ORDER

HB 1160 (Pr. No. 3838) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1160 (Pr. No. 3838) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) for the disposition of dependent children; providing a standard of negligence for volunteer firefighters.

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—49

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

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.

SUPPLEMENTAL CALENDAR NO. 6

HB 2554 CALLED UP OUT OF ORDER

HB 2554 (Pr. No. 3866) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2554 (Pr. No. 3866) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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—49

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

NAYS—0

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

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

HB 1375 CALLED UP OUT OF ORDER

HB 1375 (Pr. No. 3859) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1375 (Pr. No. 3859) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1984 (P. L. 1140, No. 223), entitled "Oil and Gas Act," changing the definition of "owner"; further defining "well" and "well operator"; further providing for the definition of "alteration" and for permit objections, well permits and bonding requirements; adding provisions relating to solid waste; and making a repeal.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

Andrezeski	Holl	Mellow	Scanlon
Armstrong	Hopper	Moore	Shaffer
Bell	Howard	Musto	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	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—0

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

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

HB 2454 CALLED UP OUT OF ORDER

HB 2454 (Pr. No. 3863) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2454 (Pr. No. 3863) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the use of State funds to expand a special supplemental food program for women, infants and children.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

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

REMARKS BY MAJORITY LEADER

Senator STAUFFER. Mr. President, may we now turn to page 7 of the Calendar and run the Second Consideration Calendar.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 84 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

SB 366 (Pr. No. 2287) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 30, 1895 (P. L. 129, No. 99), entitled "An act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof," further providing for emergency devices on elevators in cities of the first class; and changing the time for compliance.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 490 and 491 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL REREFERRED

HB 543 (Pr. No. 602) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1935 (P. L. 477, No. 193), referred to as the "Enforcement Officer Disability Benefits Law," extending benefits to Capitol Police officers; and making editorial changes.

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

BILL ON SECOND CONSIDERATION

SB 628 (Pr. No. 2301) — The Senate proceeded to consideration of the bill, entitled:

An act authorizing and directing the Department of General Services, with the approval of the Department of Corrections and the Governor, to convey to the Montgomery County Farm, Home and 4-H Foundation, 13.617 acres of land, more or less, situate in Skippack Township, Montgomery County, Pennsylvania.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 1218 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

HB 1337 (Pr. No. 3802) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," establishing a system of information for the Pennsylvania State Police regarding crimes resulting from intergroup tensions.

Considered the second time and agreed to,

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

BILL OVER IN ORDER TEMPORARILY

HB 1362 — Without objection, the bill was passed over in its order temporarily at the request of Senator STAUFFER.

BILL OVER IN ORDER

SB 1371 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILLS ON SECOND CONSIDERATION

SB 1408 (Pr. No. 2302) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for the filling of certain vacancies on the police force and in the fire department.

Considered the second time and agreed to,

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

HB 1553 (Pr. No. 1896) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for training of Pennsylvania State Police for response to ethnic tension situations.

Considered the second time and agreed to,

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

HB 1621 (Pr. No. 2569) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 31, 1971 (P. L. 398, No. 96), known as the "County Pension Law," further providing for supplemental benefits.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 1735 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

HB 2325 (Pr. No. 3206) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 23, 1945 (P. L. 903, No. 362), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," further providing for membership on certain retirement boards.

Considered the second time and agreed to,

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

HB 1362 CALLED UP

HB 1362 (Pr. No. 3763) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 8 of the Second Consideration Calendar, by Senator STAUFFER.

BILL OVER IN ORDER TEMPORARILY

HB 1362 (Pr. No. 3763) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensing of chiropractors and the regulation of the practice of chiropractic; establishing the State Board of Chiropractic in the Department of State and providing for its powers and duties; providing for the supervision of schools of chiropractic, for the examination of applicants, for enforcement and for disciplinary actions; providing penalties; and making repeals.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator RHOADES offered the following amendment:

Amend Title, page 1, line 5, by striking out "schools" and inserting: colleges

Amend Table of Contents, page 1, line 15, by striking out "schools" and inserting: colleges

Amend Table of Contents, page 1, by inserting between lines 16 and 17:

Section 304. Qualifications for certification to engage in physiological therapeutic procedures.

Amend Table of Contents, page 2, by inserting between lines 7 and 8:

Section 507. Continuing chiropractic education.

Amend Sec. 102, page 4, lines 24 through 30; page 5, lines 1 through 8, by striking out all of said lines on said pages and inserting:

"Certification." The approval by the board of licensees to engage in the practice of physiological therapeutic procedures and of individuals to serve as chiropractic radiologic technicians. It shall also mean the approval of programs by the board for the training and education of chiropractic radiologic technicians.

"Chiropractic." A discipline of the healing arts having for its objective the restoration and preservation of health in humans, based on the principle that the neuromusculoskeletal effects of structure on function are integrally related to the recuperative ability and homeostasis of the human body. The term shall include diagnostic and treatment procedures taught in chiropractic colleges approved by the board, including manipulation and adjustment of articulations and adjacent tissues of the

human body, particularly the spinal column, and other musculoskeletal articulations, nutritional and physiological therapeutic procedures as necessary patient care, rehabilitative and supportive therapeutic procedures, and emergency assistance, administered with due regard for hygiene and sanitation in observance of the laws of this Commonwealth relating to health and professional reporting and designed to assist in the restoration and maintenance of health in humans. The term shall not include the use of drugs or surgery.

Amend Sec. 102, page 5, by inserting between lines 12 and 13:

"Diagnosis." The use of board-approved scientific instruments of analysis, including X-ray and other evaluative procedures, to determine appropriate treatment.

Amend Sec. 301, page 6, lines 2 through 15, by striking out "No member shall be in any manner financially" in line 2, and all of lines 3 through 15

Amend Sec. 303, page 11, line 7, by striking out "SCHOOLS" and inserting: colleges

Amend Bill, page 11, lines 8 through 20, by striking out all of said lines and inserting:

(a) Approval of colleges.—For the purposes of satisfying the educational requirements established in accordance with this act, the board shall approve any chiropractic college which is accredited by a chiropractic accrediting agency recognized by the United States Department of Education or the Council on Post-Secondary Accreditation, but the board shall not approve any chiropractic college which is not so accredited.

(b) Implementation.—This section shall not immediately apply to a chiropractic college which is currently approved by the board on the basis of a self-study and inspection of the institution, nor shall it immediately apply to a chiropractic college which currently hold status as a recognized candidate for accreditation with an appropriate accrediting agency, as required by subsection (a). Such college shall have five years from the effective date of this act in which to obtain accreditation from an appropriate agency as provided in this act.

Section 304. Qualifications for certification to engage in the practice of physiological therapeutic procedures.

A licensee applying to the board for certification to engage in the practice of physiological therapeutic procedures shall submit an application to the board on forms provided by the board, showing to the satisfaction of the board that the licensee:

(1) has passed an examination in an approved curriculum offered by a chiropractic college;

(2) has completed a minimum of 100 hours of study in the practice of physiological therapeutic procedures, as approved by the board; or

(3) (i) has practiced physiological therapeutic procedures for three years immediately preceding the effective date of this act; and

(ii) is licensed and currently registered under this act.

Amend Sec. 502, page 14, lines 20 and 21, by striking out all of said lines and inserting:

(1) an overall score of at least 75% on the entire examination; or

(2) an average score of at least 75% on the oral and practical examination and a passing score on the written examination administered by the National Board of Chiropractic Examiners as such passing score is determined by the national board.

Amend Bill, page 24, by inserting between lines 4 and 5:

Section 507. Continuing chiropractic education.

(a) Requirement for license renewal.—As a condition for the biennial renewal of a license to practice chiropractic, a licensee shall submit to the board evidence that he has completed at least 24 hours of continuing chiropractic education within the immediately preceding two-year period, provided that a licensee shall be required to complete only 12 hours of continuing chiropractic education before the licensing period commencing in 1987.

(b) Qualifying education.—A licensee may receive credit for only those hours of continuing chiropractic education in a program approved by the board and for only those hours directed toward keeping the licensee apprised of advancements and new developments in chiropractic which build upon the basic courses required to practice chiropractic and which are in the following areas:

- (1) Anatomy.
- (2) Physiology.
- (3) Histology.
- (4) Chemistry.
- (5) Pathology.
- (6) Physics.
- (7) Bacteriology.
- (8) Diagnosis.
- (9) Hygiene and sanitation.
- (10) Symptomatology.
- (11) Chiropractic analysis.
- (12) X-ray.
- (13) Chiropractic principles.
- (14) Chiropractic technique.
- (15) Physiologic therapeutic procedures in accordance

with section 102.

No credit shall be given for any course in office management or practice building.

(c) Application by sponsors.—Prior to receiving board approval for a program of continuing chiropractic education, a sponsor shall submit to the board by registered or certified mail the following information at least 60 days prior to the date on which the program is scheduled to be presented:

(1) Evidence that the sponsor's program would be directed toward keeping the licensee apprised of advancements and new developments in chiropractic which build upon the basic courses required to practice chiropractic and which are in the areas specified in subsection (b).

(2) A detailed course outline or syllabus, including such items as methods of instruction and testing materials, if any.

(3) A current curriculum vitae of each instructor, speaker or lecturer appearing in the program.

(d) Action on application.—The board shall notify each sponsor by registered or certified mail of approval or disapproval of the application within 30 days of the receipt of the application. If an application is disapproved, the board shall detail the reasons for disapproval in order that the sponsor may cure any defect and submit an amended application in a timely manner.

(e) Evidence of completion.—Each licensee, in order to qualify for biennial renewal of his license, shall complete a form provided by the sponsor and supplied by the board which contains the name of the licensee, business address, name of the sponsor and instructor, course taken, hours completed, date and place of the continuing education program offered, and a signed statement sworn and attested to by the licensee that the licensee was fully in attendance at the program offered and that the information in such form is true and correct. The licensee shall be responsible for sending this form to the board.

(f) Notification.—The board, within 30 days after the effective date of this act, shall notify all licensees subject to this section that they will be required to complete 12 hours of continuing education before the licensing period commencing in 1987 and shall

notify such licensees of continuing education required when renewal applications are issued for 1987 and every renewal period thereafter.

(g) Approved programs.—A continuing education program offered by a chiropractic school or college approved in accordance with this act and attended by a licensee must be accepted by the board so long as the course requirements of this section are met.

(h) Exceptions.—The board may make exceptions to the continuing education program requirements in emergency or hardship cases on the basis of evidence submitted in proof of an emergency or hardship.

On the question,

Will the Senate agree to the amendment?

Senator RHOADES. Mr. President, this amendment which I am offering to the Chiropractic Sunset bill has in it basically three factors, one of which deals with the scope of practice. The scope of practice in this definition deals basically with language which chiropractors presently have through statute or through case law that has been determined.

Secondly, it deals with the educational requirements for licensure, so that new licensees must graduate from a chiropractic college whose professional curriculum meets specialized chiropractic accreditation standards. It also requires continuing education and makes it mandatory. This is something I think we have done with just about all the other Sunset legislation we have reviewed.

It establishes the powers of the State Board of Chiropractic. In essence, what it does is removes a section but offers the standpoint that anyone who has extensive background would be able to serve on the board, but anyone who is receiving any remuneration for this service would not be eligible to serve on the board.

We do deal with the terms of diagnosis. As I said, this really is a diagnosis defined through Workmen's Compensation, Medicare, Medicaid and motor vehicle financial responsibility, all acts which we have passed here in the General Assembly.

It also deals with adjunctive physiological, therapeutic procedures and the essence of saying we are dealing with the neuromusculoskeletal structure and treatment.

The other factor we deal with, which is probably a key element, is the education requirements for licensure we require for specialized accreditation. The Council on Chiropractic Education would evaluate all schools and determine whether they are acceptable or not. Of the fourteen schools here in the United States that are CC approved, there are two that are not. This does stipulate that any school which is not accredited through specialized accreditation would have five years in which to do so.

I think, in essence, that well addresses the changes that are being made in here.

Senator BELL. Mr. President, under the Senate Rules I object to the amendment at this time. I have not had a chance to see it and read it. I think the pleading is a surprise, and under the Senate Rules I am to be allowed a reasonable time to know what is in this amendment.

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

Senator BELL. Mr. President, I still renew my objection to this. It is 11:30 at night. I knew there were some amendments floating around here.

The PRESIDENT pro tempore. Senator, there is no Senate Rule.

Senator BELL. Mr. President, I insist on the Senate Rule.

The PRESIDENT pro tempore. There is no Senate Rule.

Senator BELL. Mr. President, I believe there is a Rule on amendments that requires they be furnished so no Member will be surprised.

The PRESIDENT pro tempore. You are correct, Senator.

Senator BELL. Mr. President, I insist on the Rule being complied with.

I have had a copy for about two minutes, but we spent many, many hours in public hearings on this subject and I do not know if this is what was prepared and given to us at those times or not. The committee at its stated meeting—

The PRESIDENT pro tempore. The point we have at this point, Senator—

Senator BELL. Mr. President, I do not know what this is.

The PRESIDENT pro tempore. Under the Senate Rules, you have a copy of the amendment. Senator Rhoades, under the Rules, has a right to offer that amendment. If he would withdraw it and offer it on third consideration tomorrow—but he is shaking his head no.

Senator BELL. Mr. President, I insist on the Rule which gives a reasonable time to study the same.

The PRESIDENT pro tempore. House Bill No. 1362 will go over temporarily in its order so that Senator Bell, and others, may have an opportunity to read the amendment which has been offered by Senator Rhoades.

SPECIAL ORDER OF BUSINESS

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE STATE TAX EQUALIZATION BOARD

June 25, 1986.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 24, 1986 for appointment of Janice Mannal, 7809 Pine Road, Wyndmoor, Montgomery County, Seventeenth Senatorial District, as a member of the State Tax Equalization Board, to serve until November 14, 1987, and until her successor is appointed and qualified, vice LeGree S. Daniels, Harrisburg, resigned.

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

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

June 18, 1986.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 11, 1986 for the reappointment of James S. Lederach, Esquire, 16 Grace Road, Scottdale 15683, Westmoreland County, Thirty-ninth Senatorial District, as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

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

DICK THORNBURGH.
NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

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

June 19, 1986.

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 Charles B. Pursel, Esquire, 398 Market Street, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Elton Hunsinger, Aristes, deceased.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF DENTISTRY

June 24, 1986.

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 Morris Jacobson, D.D.S., 1521 Elliott Street, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

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

June 19, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kathleen M. Waters, 18 Tea Rose Lane, Levittown 19054, Bucks County, Sixth Senatorial District, for appointment as a member of the Board of Trustees of Eastern State School and Hospital, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Robert Saunders, Levittown, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

June 6, 1986.

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 Earl F. Glock, Esquire, 415 Diamond Boulevard, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Monsignor Francis B. McCaa, Ebensburg, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 19, 1986.

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 S. Keith Spalding, Box 206, 988 Hopeland Road, Hopeland 17533, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 1988, and until his successor is appointed and qualified, vice Frank Sullivan, Philadelphia, deceased.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF EMBREEVILLE STATE HOSPITAL

June 13, 1986.

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 Frances M. Herndon, 18 Coniston Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Board of Trustees of Embreeville State Hospital, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF FARVIEW STATE HOSPITAL

June 19, 1986.

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 Benjamin S. Schnessel, 80 Wyoming Street, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Farview State Hospital, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified, vice Fergus Monahan, Scranton, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

June 19, 1986.

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 The Reverend Morris F. Houck, Jr., 135 South Third Street, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Betty Herman, Reading, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

June 19, 1986.

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 Rachel E. Rentschler, 21 South Third Street, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1987, and until her successor is appointed and qualified, vice Charles J. Farber, Pottsville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF DIRECTORS
OF THE PENNSYLVANIA HIGHER
EDUCATION ASSISTANCE AGENCY

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Robert C. Wilburn, 310 South Homewood Avenue, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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 Gregory J. Celia, Jr., 2143 Brockton Road, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1989, or until his successor shall have been duly appointed and qualified, vice Joseph X. Yaffe, Esquire, Wyncote, whose term expired.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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 Rita Clark, 52 Rose Street, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1990, or until her successor shall have been duly appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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 Russell S. Howell, 164 Petersburg Road, Neffsville 17543, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1991, or until his successor shall have been duly appointed and qualified, vice Doris Leader, York, whose term expired.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas L. McGill, Jr., Esquire, 6809 Emlen Street, Apartment 301, Philadelphia 19150, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1989, or until his successor shall have been duly appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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 Elizabeth Coles Umstadd, 733 Stoke Road, Villanova 19085, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1988, or until her successor shall have been duly appointed and qualified, vice Elizabeth Scott, Pittsburgh, whose term expired.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1986.

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 John P. Wisniewski, 104 Birch Avenue, Crestview Manor, Pittsburgh 15209, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1988, or until his successor shall have been duly appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

June 6, 1986.

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 Charles H. Gale, Sr., 1716 School House Road, Box 264, Gwynedd 19436, Montgomery County, Twelfth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Elizabeth B. Martin, Rosslyn Farms, whose term expired.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

June 17, 1986.

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 Judith C. Lieberman (Public Member), 112 C. E. Wyoming Street, Allentown 18103, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve until September 19, 1987, but not longer than six months beyond that period, vice Martha B. Montgomery, Ph.D., Philadelphia, resigned.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF LAURELTON CENTER

June 13, 1986.

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 Dale LeRoy Book, 1706 Washington Avenue, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF MAYVIEW STATE HOSPITAL

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard Seely Evans, M.D., 6 Oxford Road, Pittsburgh 15202, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

June 6, 1986.

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 Patricia E. Irwin, 2631 Philadelphia Avenue, Pittsburgh 15216, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.
MEMBER OF THE STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

June 17, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul D. Breon, 126 Grandview Road, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.
MEMBER OF THE PENNSYLVANIA NURSING
HOME LOAN AGENCY

June 4, 1986.

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 S. Murray Rust, III, 5505 Dunmoyle Avenue, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Nursing Home Loan Agency, to serve until October 10, 1986, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

June 13, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alvin Kessler, 506 West Second Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1989, and until his successor is appointed and qualified.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF SCOTLAND SCHOOL FOR
VETERANS' CHILDREN

June 17, 1986.

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 Charles E. Broadfield, Jr., 407 Montrose Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice Raymond C. Mullin, Millersville, whose term expired.

DICK THORNBURGH.
MEMBER OF THE BOARD OF TRUSTEES
OF SHAMOKIN STATE GENERAL HOSPITAL

June 6, 1986.

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 Carmen DeFrancesco, 34 West Avenue, Mount Carmel 17851, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Shamokin State General Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF SOUTH MOUNTAIN RESTORATION CENTER

June 19, 1986.

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 Mildred W. Benner, 230 Benner Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified, vice Paul F. Chalfant, Waynesboro, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF SOUTH MOUNTAIN RESTORATION CENTER

June 19, 1986.

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 Rose G. Good, 620 North Grant Street, Extended, Waynesboro 17268, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Mary C. Spanogle, Chambersburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF SOUTH MOUNTAIN RESTORATION CENTER

June 19, 1986.

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 Cora I. Grove, 171 Apple Drive, Greencastle 17225, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice Sandra Beauchat, Gettysburg, whose term expired.

DICK THORNBURGH.

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

June 24, 1986

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 Neal E. Mann, 11422 East Lake Road, North East 16428, Erie County, Twenty-fifth Senatorial District, for reappointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

June 11, 1986.

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 Nathan S. Falk, 185 North Walnut Street, Blairsville 15717, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

June 11, 1986.

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 John C. Goebert, R. D. 4, Box 266, Blairsville 15717, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold G. Reslink, 966 West Arlington Road, Erie 16509, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 11, 1986.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert B. Pease, 326 Dewey Street, Pittsburgh 15218, Allegheny County, Forty-fourth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 11, 1986.

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 Isadore A. Shrager, Esquire, 4920 Locust Street, Philadelphia 19139, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

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

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

REPORT FROM COMMITTEE

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

HB 1543 (Pr. No. 3858) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the protection of employment of crime victims.

REPORTS OF COMMITTEES OF CONFERENCE
SUBMITTED

Senator TILGHMAN, by unanimous consent, submitted the Reports of Committees of Conference on **SB 1447** and **1556**, which were placed on the Calendar.

Senator SHAFFER, by unanimous consent, submitted the Reports of Committees of Conference on **SB 1461**, **1462**, **1463**, **1466** and **1468**, which were placed on the Calendar.

MEETING OF COMMITTEE OF
CONFERENCE ON HB 383

Senator STAUFFER. Mr. President, I would like to announce for everyone's benefit that the recessed meeting of the Committee of Conference on House Bill No. 383 will reconvene at 11:45 p.m.

Senator KELLEY. Mr. President, the Majority Leader indicated that the reconvened meeting was to take place at 11:45 p.m. I wonder if he would be so kind as to tell us where.

The PRESIDENT pro tempore. Senator Stauffer, Senator Kelley wishes to know where the reconvened meeting of the Committee of Conference will be held.

Senator STAUFFER. In the Senate Majority caucus room, Mr. President.

Senator KELLEY. I thank the gentleman, Mr. President, and I take it the gentleman would have no objection to any one of us who wanted to go down there on temporary Capitol leave to observe the proceedings.

Senator STAUFFER. Mr. President, I would hope you will not need a temporary Capitol leave in that we hope to be out of here, so you can come down after the Session to see that meeting.

SUPPLEMENTAL CALENDAR NO. 6
RESUMED

HB 792 CALLED UP OUT OF ORDER

HB 792 (Pr. No. 3868) — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 792 (Pr. No. 3868) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the "Small Business Incubators Act," approved July 2, 1984 (P. L. 555, No. 111), further providing for grants, loans and loan guarantees; and removing provisions relating to guidelines and regulations.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

Andrezeski	Holl	Mellow	Scanlon
Armstrong	Hopper	Moore	Shaffer
Bell	Howard	Musto	Shumaker
Bodack	Jones	O'Pake	Singel
Brightbill	Jubelirer	Pecora	Stapleton
Corman	Kelley	Peterson	Stauffer
Early	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—0

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

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

HB 2098 CALLED UP OUT OF ORDER

HB 2098 (Pr. No. 3865) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2098 (Pr. No. 3865) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 561, No. 112), known as the "Pennsylvania Conservation Corps Act," further providing for eligibility, compensation and referrals, for the wages of crewleaders and for guidelines and regulations; making an appropriation; and making a repeal.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

CONSIDERATION OF CALENDAR RESUMED

HB 2090 CALLED UP OUT OF ORDER

HB 2090 (Pr. No. 3837) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AMENDED

HB 2090 (Pr. No. 3837) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time,

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

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

Amend Sec. 1, page 3, line 15, by striking out all of said line and inserting:

State appropriation..... \$24,800,000

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 STAUFFER.

HB 1362 CALLED UP

HB 1362 (Pr. No. 3763) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 8 of the Second Consideration Calendar, by Senator STAUFFER.

BILL ON SECOND CONSIDERATION

HB 1362 (Pr. No. 3763) — And the question recurring,
Will the Senate agree to the amendment offered by Senator Rhoades?

Senator ANDREZESKI. Mr. President, I am still without a copy of the amendment, but I will go by memory from what has happened in the last fourteen months. I am assuming by the offering of this amendment this is part of a multiplicity of proposals that appeared before the Committee on Consumer Protection and Professional Licensure by various schools and groups of chiropractic taught here in Pennsylvania. What started out to be a simple procedure of redefining a licensing bill, a Sunshine bill, for the chiropractic board ended up in many instances—and I say this with all due respect to the Senators—with some mayhem on some others' part. For fourteen months we had people who would come and approach Senators and say, "Will you support the amendments offered by another Senator?"

We would go and ask the other Senator and he would say, "What amendments? They told me you were the one offering these amendments."

These are some of the conditions we lived with in going through this whole process. We had people who would go in a room and have loud words for many hours, maybe screaming and shouting, trying to hammer out compromises, and on each level everything seemed to fall apart as we got down to this. If you were a Member of this committee, you got doggone tired of listening to a different story every week on

what could be done, what should be done and what might be done. Here we are at the twelfth hour, right before consideration of the budget, voting on an amendment that I have never seen and I never saw copies supplied to anybody. Here we are saying, well, we have to do this and do that, and we are acting in many instances in the same way all of these groups acted. I will in some instances say there is a very good possibility that the amendment the gentleman from Schuylkill, Senator Rhoades, is offering is very good, but who knows? You do not. You do not have a copy of the amendment.

The fact of the matter is what came out of that committee and what came out of the Committee on Consumer Protection and Professional Licensure was the bill you have before you. It is a reenactment of the board, and it does include a controversial item for some on the potential licensure in the future, or accreditation in the future, of a chiropractic school or two—I do not even know the numbers of them—in Pennsylvania. What we are doing here tonight, if we are going to sit here and vote on this amendment, which in some way, shape, form or substance has been around in a variety of combinations, is a great disservice to all the chiropractors, to all the different groups in Pennsylvania, not just one group or another group.

By voting on this, we are continuing, in my opinion, this fight into the future. It is my opinion that what came out of the committee was the reestablishment of the board and in that instance we should work with that. I would be more than willing to work with any group to substantiate their claims and to work with them legislatively on any issue they have. I would sponsor their claim and I would sponsor their cause in legislative form. But to do what we are doing here at the twelfth hour and say, "Hey, look at this. Let's go," is a disservice to the people who have worked long and hard on this issue. It is a disservice to the professionals who have the name of chiropractor on their title.

Senator PETERSON. Mr. President, first, I would like to mention that on page 11, line 17, there is a typographical error in the bill. I would also like to rise to oppose the Rhoades amendment. In my time in the House and the Senate, I do not think there is any issue we faced that has been more difficult than dealing with different professionals when they are not in agreement themselves. It makes it very difficult for us in the legislative process to solve problems within a profession that should be solved there, and we should be working from some sort of a consensus.

This winter the lady from Northampton, Senator Reibman, and I spent several months and hundreds of staff hours trying to work with the five different groups that are out there. At one point in time, I had high hopes that we would come up with a compromise that would get us out of this problem that has been around for a long time in this profession. Unfortunately, that has not happened, and I, tonight, urge my colleagues to reject the Rhoades amendment. The bill that is before us, without the Rhoades amendment, does deal with the 1951 Chiropractic Act as it has been in the past, and adds a means of accrediting the school that has been the contro-

versy through Middle States or CCE. The Middle States is an accrediting agency that would be a step forward in accrediting that college, and I think it would get us to some middle ground and give the chance for this profession to go back and solve their own problems and get their act together.

The amendment that is before us deals with diagnosis and scope of practice and deals with terms like "nutritional" and "physiological, therapeutic procedures" which I think opens up a whole lot of questions.

I would like at this time to conclude my comments by saying that none of the five groups are really happy with the bill that is before us. It gives them their old law with a chance to keep the school under check and under accreditation and affords a better means. I would urge my colleagues to defeat the Rhoades amendment and pass the bill that is before us.

SPECIAL ORDER OF BUSINESS COMMITTEE OF CONFERENCE APPOINTED ON SB 293

The PRESIDENT pro tempore. The Chair announces the appointment of Senators WILT, STAUFFER and WILL-IAMS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 293.

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

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee of Conference on Senate Bill No. 293 to meet off the floor, and I think that is immediately in the Majority caucus room.

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

Senator BELL. Mr. President, I have taken a brief period to look at this amendment. I appreciate the Senate giving me that opportunity. From the very beginning, as chairman of the committee, I stayed out of this fight between the mixers and the straights. We started with two groups and we ended up with about five or six fighting each other. It became apparent that the only logical way, unless we want to embroil the entire Legislature from now to when we adjourn with this blood fight, is to pass a pure Sunset bill, blame the Administration and, as a result, the House substantive changes were deleted by the committee. At the time I promised publicly and I promise it and repeat it right now that these substantive changes the gentleman from Schuylkill, Senator Rhoades, has proposed, and any other substantive changes, should be considered in a separate bill. I promised I would not bury it, that I would bring it up in front of the committee and would run more public hearings because, frankly, we did not have the time to do all the public hearings that we should have done

because of the PUC matter. That was dumped on us in December. I did not support the straights with their college in Bucks County, I voted against it, but I was outvoted. But with that exception, this is a pure Sunset administrative bill, and now at this eleventh hour or twelfth hour, as the gentleman from Erie, Senator Andrezeski, says, it is being loaded up as a mixer bill. I would suggest, Mr. President, gentlemen, that we follow the example of our committee and stay neutral in this battle between the mixers and the straights, and now there are three or four more groups in there, and let the committee go into the substance of all these suggestions with public hearings and then report member bills.

Senator MELLOW. Mr. President, very briefly, I rise to try to set the record straight, if that is possible with such a bill of the magnitude of this particular proposal, and with the emotion that this particular type of legislation can engender within this Body. Mr. President, the truth of the matter is that this amendment has been circulated in the Senate since last Wednesday, approximately five days, and it has been in the office of the respective leaders so they have had the opportunity to go through it. I think, Mr. President, the gentleman from Schuylkill, Senator Rhoades, has gone a long way in trying to improve a situation that is in very bad need of improvement. Mr. President, the amendment that has been offered by the gentleman from Schuylkill, Senator Rhoades, basically improves the bill in three ways. The gentleman from Delaware, Senator Bell, I think has done an outstanding job in all the hearings that he has had with Sunset, whether it be with the chiropractors or with any other Sunset proposal he has been able to handle. I think the gentleman from Schuylkill, Senator Rhoades, has addressed the question properly. The amendment he has suggested today goes a long way in improving the bill. I can agree with the remarks on behalf of the gentleman from Delaware, Senator Bell, when he says we should not make substantive changes in Sunset because, when we voted on Sunset a number of years ago, it was not to make substantive changes. Unfortunately, we have done that and, in fact, just last week we passed a Public Utility Commission Sunset bill that was totally changed from the way the Public Utility Commission was operating. I think, Mr. President, it is only fitting and proper that if we, in fact, are going to do that, then we certainly should be able to entertain those particular types of amendments in this chiropractic bill. I strongly support and urge an affirmative vote on the amendment as offered by the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, I want to apologize to my colleagues for the lateness of the hour on this amendment. However, I also want to state this: I did ask that we would consider this bill last week, but it was taken over and they said we would do it on Monday. I did not pick the time. I would liked to have done it a lot earlier than this. Granted, there are problems between the chiropractors and the philosophies they have in their practice and the way they want to practice. The problem—and I say this to anyone in any profession—is if you cannot get your own act together, then someone is going

to get it together for you. We are faced with the responsibility of putting rules and regulations down so these people practice in such a manner as to be responsible. That is what I have attempted to do with these things. By putting the Council of Chiropractic Education in through specialized education, through the board, through the diagnosis and the scope of practice, I am hoping to at least put on a level and define it similar to what we have so that we can have something which is a continuum and not revert back to 1951. I would ask for an affirmative vote on this amendment.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would request temporary Capitol leaves on behalf of Senator Stauffer and Senator Tilghman who have been called to a meeting of the Committee of Conference.

The PRESIDENT pro tempore. Senator Loeper requests temporary Capitol leaves for Senator Stauffer and Senator Tilghman who are going to be on a Committee of Conference. The Chair hears no objection. The leaves will be granted.

Senator ZEMPRELLI. Mr. President, I would request a temporary Capitol leave on behalf of Senator Williams.

The PRESIDENT pro tempore. Senator Zemprelli requests a temporary Capitol leave for Senator Williams who is serving on a Committee of Conference. The Chair hears no objection. The leave is granted.

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

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

YEAS—21

Armstrong	Lewis	Rhoades	Singel
Corman	Loeper	Rocks	Stout
Early	Madigan	Salvatore	Wenger
Fisher	Mellow	Scanlon	Wilt
Fumo	Musto	Shaffer	Zemprelli
Lemmond			

NAYS—28

Andrezeski	Holl	Lincoln	Romanelli
Bell	Hopper	Lynch	Ross
Brightbill	Howard	Moore	Shumaker
Greenleaf	Jones	O'Pake	Stapleton
Hankins	Jubelirer	Pecora	Stauffer
Helfrick	Kelley	Peterson	Tilghman
Hess	Kratzer	Reibman	Williams

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.

HB 84 CALLED UP

HB 84 (Pr. No. 88) — Without objection, the bill, which previously went over in its order, was called up, from page 7 of the Second Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON SECOND CONSIDERATION

HB 84 (Pr. No. 88) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing the methods of determining noise violations.

Considered the second time and agreed to,

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

SB 1514 CALLED UP OUT OF ORDER

SB 1514 (Pr. No. 2309) — Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL OVER IN ORDER AND RECOMMITTED

SB 1514 (Pr. No. 2309) — The Senate proceeded to consideration of the bill, entitled:

An Act repealing section 3 of the act of December 21, 1984 (P. L. 1270, No. 241), entitled "An act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further defining the term 'public utility';....." repealing sunset provisions relating to mobile domestic cellular radio telecommunications services.

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

Pursuant to Senate Rule XI, the bill was recommitted to the Committee on Consumer Protection and Professional Licensure.

REMAINING CALENDAR OVER IN ORDER

All remaining bills on today's Calendar not considered were passed over in their order at the request of Senator LOEPER.

LEGISLATIVE LEAVE CANCELLED

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

MEETING OF COMMITTEE OF CONFERENCE ON SB 293

The PRESIDENT pro tempore. The Chair wishes to announce that the Committee of Conference on Senate Bill No. 293 will meet in Senator Wilt's office immediately. Those Members will be placed on legislative leave. The Members of that Committee of Conference are Senator Wilt, Senator Stauffer and Senator Williams.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Tilghman and Senator Fumo. Their leaves will be cancelled.

UNFINISHED BUSINESS**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 Harold L. Amspacker and to Albert T. Battista by Senator Corman.

Congratulations of the Senate were extended to St. Mary's Byzantine Catholic Church of Freeland by Senator Musto.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence E. Deal, Mr. and Mrs. Edward W. Krantz, Mr. and Mrs. Leslie Steele and to Mr. and Mrs. George Tweed by Senator Shaffer.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA**COMMITTEE MEETINGS**

TUESDAY, JULY 1, 1986

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider State Board of Psychology Regulation 16A-146)	Room 461, 4th Floor Conference Rm., North Wing
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TUESDAY, JULY 15, 1986

9:30 A.M.	STATE GOVERNMENT (Public Hearing on Regulatory Review and the Independent Regulatory Review Commission)	Room 461, 4th Floor Conference Rm., North Wing
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ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Tuesday, July 1, 1986, at 10:30 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.