

LEGISLATIVE JOURNAL

TUESDAY, JUNE 2, 1987

SESSION OF 1987

171ST OF THE GENERAL ASSEMBLY

No. 40

SENATE

TUESDAY, June 2, 1987.

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

The PRESIDENT (Lieutenant Governor Mark S. Singel) in the Chair.

PRAYER

The Chaplain, Father CARLO TARASI, of the Associates of Saint John Vianney, offered the following prayer:

Let us pray.

With joyful hearts uplifted in gratitude, we rejoice in that freedom which each of us has been given.

We are a free people since we have come forth from the God of freedom.

We are a free people because we have worked to remain free of all that threatens to make us slaves.

We are filled with thanksgiving that You, our God, have shown us how we might be free in spirit and in heart as well as in body.

As You directed Your holy servant Moses to lead Your children of Israel from slavery, from the oppression of Egypt, so continue to direct us so that we may stay free from the oppression of evil, greed and the lust for power over others.

As free sons and daughters of God, may the lamp of truth burn brightly in our homes and in each of our hearts.

As brothers and sisters, may we be ever grateful for the pleasure of liberty.

May our profound reverence for truth, as piercing as a sword and ever-liberating, be our burning torch of freedom and our shield against enslavement.

Blessed are You, Lord our God, who has made us all free persons. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 1, 1987.

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.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

June 1, 1987.

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 Gerald R. Hildebrandt, One Rittenhouse Square, 135 South 18th Street, Philadelphia 19103, Philadelphia County, Second Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 1987, and until his successor has been appointed and qualified, vice Fredric R. Mann, Philadelphia, resigned.

ROBERT P. CASEY.

MEMBER OF THE STATE PLANNING BOARD

June 2, 1987.

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. Robin, 220 Dithridge Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Planning Board, to serve until November 24, 1990, and until his successor is appointed and qualified, vice The Honorable Arthur A. Davis, confirmed as Secretary of Environmental Resources.

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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 Peter J. Gaughan, 21 Crestwood Drive, Mount Pocono 18344, Monroe County, Twenty-ninth Senatorial District, for appointment as District Justice in and for the County of Monroe, Magisterial District 43-3-01, to serve until the first Monday of January, 1988, vice Clara Pope, resigned.

ROBERT P. CASEY.

**RECALL COMMUNICATIONS
LAID ON THE TABLE**

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

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

June 1, 1987.

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 March 2, 1987 for the appointment of Michael J. Antkowiak, Esquire, 607 West First Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, as Judge of the Court of Common Pleas of Venango County, to serve until the first Monday of January, 1988, vice the Honorable William Breene, mandatory retirement.

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

ROBERT P. CASEY.

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

June 2, 1987.

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 March 2, 1987 for the appointment of Edward S. Lawhorne, Esquire, 407 Moylan Avenue, Moylan 19065, Delaware County, Ninth Senatorial District, as Judge of the Court of Common Pleas of Delaware County, to serve until the first Monday of January, 1990, vice the Honorable Frank J. Lynch, deceased.

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

ROBERT P. CASEY.

BILLS INTRODUCED AND REFERRED

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

June 1, 1987

Senators HELFRICK, WENGER, STAPLETON, HESS, WILT and LEMMOND presented to the Chair **SB 853**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing electric service supplied to certain organizations.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, June 1, 1987.

Senators HELFRICK, WENGER, STAPLETON, SHAFFER, O'PAKE, REIBMAN, LEMMOND, MADIGAN, AFFLERBACH and SALVATORE presented to the Chair **SB 854**, entitled:

An Act amending the act of July 8, 1986 (P. L. 437, No. 92), entitled "Pennsylvania Agricultural Fair Act," placing limitations on grants for capital improvements; and making an appropriation.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 1, 1987.

Senators LYNCH, JONES and STOUT presented to the Chair **SB 855**, entitled:

An Act requiring franchised fast food restaurants to give certain notice of contents of food and certain nutritional information.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 1, 1987.

Senators BELL and MADIGAN presented to the Chair **SB 856**, entitled:

An Act amending the act of June 2, 1915 P. L. 736, No. 338), entitled, as reenacted and amended, "The Pennsylvania Workmen's Compensation Act," amending the definition of "employee" to exclude uncompensated officers and directors of nonprofit corporations.

Which was committed to the Committee on LABOR AND INDUSTRY, June 1, 1987.

Senator GREENLEAF presented to the Chair **SB 857**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, imposing a penalty for operating certain vehicles without required braking systems.

Which was committed to the Committee on TRANSPORTATION, June 1, 1987.

Senators PETERSON, HELFRICK, SHAFFER, MADIGAN, CORMAN, WENGER, LEMMOND, STAUFFER, JUBELIRER, RHOADES, LOEPER, REIBMAN, BRIGHTBILL and WILT presented to the Chair **SB 858**, entitled:

An Act amending Title 32 (Forests, Waters and State Parks) of the Pennsylvania Consolidated Statutes, adding provisions relating to municipal sewage treatment systems.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 1, 1987.

Senators PETERSON, HELFRICK, SHAFFER, MADIGAN, CORMAN, WENGER, LEMMOND, STAUFFER, JUBELIRER, RHOADES, LOEPER, REIBMAN, BRIGHTBILL and WILT presented to the Chair **SB 859**, entitled:

An Act authorizing the incurring of indebtedness, with approval of the electors, of \$300,000,000 for the repair, construction, reconstruction, rehabilitation, extension and improvement of municipal sewage treatment systems; and providing the allocation of the bond proceeds.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 1, 1987.

Senators AFFLERBACH, O'PAKE, ANDREZESKI and SHAFFER presented to the Chair **SB 860**, entitled:

An Act amending the act of May 18, 1937 (P. L. 654, No. 174), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed;....," providing for minimum indoor air quality and ventilation regulations; providing for inspections; and further providing for penalties and their disposition.

Which was committed to the Committee on LABOR AND INDUSTRY, June 1, 1987.

Senators PECORA, FISHER, SALVATORE, STOUT, KELLEY and MELLOW presented to the Chair **SB 861**, entitled:

An Act amending the act of August 14, 1963 (P. L. 1059, No. 459), entitled "An act prohibiting future need sales of cemetery merchandise and services, funeral merchandise and services, except under certain conditions;....," further providing for the escrowing of sale proceeds in the merchandise trust fund.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 1, 1987.

Senators PECORA, SHUMAKER, SHAFFER, FISHER, REIBMAN, AFFLERBACH, LEMMOND and REGOLI presented to the Chair **SB 862**, entitled:

An Act providing for the beginning of job training of certain employees who would have received assistance from the Federal Government; and making an appropriation.

Which was committed to the Committee on APPROPRIATIONS, June 1, 1987.

Senators ROSS, STOUT, REIBMAN, STAPLETON, KELLEY, RHOADES, SHAFFER, ANDREZESKI, SALVATORE, PETERSON and WILT presented to the Chair **SB 863**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," requiring school districts to devise and adopt tornado and severe storm preparedness plans and to conduct drills implementing the plan.

Which was committed to the Committee on EDUCATION, June 1, 1987.

Senators RHOADES, STAUFFER, ROCKS, REIBMAN, SHUMAKER, HELFRICK, FUMO, FISHER, LINCOLN, SHAFFER, MADIGAN, MUSTO, LEMMOND, PETERSON, ANDREZESKI and O'PAKE presented to the Chair **SB 864**, entitled:

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," extending for two years the period during which apparel industry loans may be made.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, June 1, 1987.

Senators HELFRICK, WENGER, STAPLETON, O'PAKE, HESS, KELLEY, SALVATORE, PECORA, RHOADES, MADIGAN, MOORE, ARMSTRONG, SHAFFER, BODACK and PETERSON presented to the Chair **SB 865**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the issuance of free hunting licenses to certain parties who open land to public hunting.

Which was committed to the Committee on GAME AND FISHERIES, June 1, 1987.

Senators SHUMAKER, REIBMAN, SHAFFER, SALVATORE, HOLL and HELFRICK presented to the Chair **SB 866**, entitled:

An Act amending the act of November 26, 1978 (P. L. 1309, No. 317), entitled "Public Works Contract Regulation Law," providing for a prompt payment schedule; creating a special fund for payments to contractors where bond authorization is unavailable; providing for electronic funds transfers; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, June 1, 1987.

Senator HOLL presented to the Chair **SB 867**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals from government agencies.

Which was committed to the Committee on JUDICIARY, June 1, 1987.

REPORTS FROM COMMITTEES

Senator PETERSON, from the Committee on Public Health and Welfare, reported the following bill:

SB 805 (Pr. No. 1060) (Amended)

An Act providing for the establishment of a program to coordinate job training, job placement and other services for persons receiving aid to families with dependent children; imposing additional powers and duties on the Department of Public Welfare; and providing for insurance coverage for basic health-care benefits to qualified individuals.

Senator PECORA, from the Committee on Local Government, reported the following bills:

SB 275 (Pr. No. 289)

An Act creating the Coroners' Education Board; requiring coroners and certain deputies to take a course of instruction and an examination; and requiring continuing education.

SB 428 (Pr. No. 465)

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing for the appointment of second deputy treasurers.

SB 699 (Pr. No. 784)

An Act amending the act of June 25, 1982 (P. L. 629, No. 178), entitled "An act providing for an annual assessment for the necessary expenses of the association of district attorneys in counties of the first class," further providing for annual assessments for the association of district attorneys.

SB 700 (Pr. No. 785)

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for annual assessments for the association of district attorneys.

SB 701 (Pr. No. 786)

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for annual assessments for the association of district attorneys.

HB 369 (Pr. No. 1214)

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," authorizing governing bodies to establish a period during which interest and penalties on earned income taxes will be waived if the taxes are paid in full.

Senator SHAFFER, from the Committee on Community and Economic Development, reported the following bill:

SB 703 (Pr. No. 1059) (Amended)

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; providing funds for technology assessments and professional services, and loans for technological improvements; and conducting technology information outreach.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I have none in addition to Senator Loeper who should be on leave as a result of yesterday's request.

Senator LINCOLN. Mr. President, I would like to request a legislative leave for Senator Hankins, temporary Capitol leaves for Senator Kelley and Senator Lewis, renew the legislative leave for today for Senator Lynch, a temporary Capitol leave for Senator Reibman, a legislative leave for today and tomorrow for Senator Romanelli, a legislative leave for Senator Stout and a renewal of Senator Zemprelli's request for legislative leave for the week.

The PRESIDENT. Senator Loeper, Senator Hankins, Senator Lynch and Senator Zemprelli continue on legislative leave today. Senator Lincoln requests temporary Capitol leaves for Senator Kelley, Senator Lewis and Senator Reibman and legislative leaves for Senator Romanelli and Senator Stout. Are there objections to the leave requests? The Chair hears none. The leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR**HB 672 CALLED UP OUT OF ORDER**

HB 672 (Pr. No. 1088) — 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 672 (Pr. No. 1088) — The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge crossing the Susquehanna River connecting the Borough of Milton in Northumberland County and the Village of West Milton in Union County as the Governor James Pollock Memorial Bridge.

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

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

NAYS—0

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Reibman. Her temporary Capitol leave will be cancelled.

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I request temporary Capitol leaves for Senator Rocks and Senator Williams.

The PRESIDENT. Senator Lincoln has requested temporary Capitol leaves for Senator Rocks and Senator Williams. The Chair hears no objections to the leave requests. These two leaves will be added to the roster.

GUESTS OF SENATOR ROBERT C. JUBELIRER PRESENTED TO SENATE

The PRESIDENT pro tempore. Mr. President, today we are honored to have some very special guests. There are a group of people in the gallery who represent the Soviet Jewry Council of Philadelphia. We have on the floor Mr. Gary Grobman who is the Executive Director of the Pennsylvania Jewish Coalition and a very special guest who I would like to introduce at this time and ask the forbearance of the Senate and, with your permission, Mr. President, an opportunity for this special guest to address this Senate. This is the second time the Senate has welcomed a former Soviet Jewish refusenik who is working for the freedom of family members. Alexander Slepak's parents, Vladimir and Maria, are known as the mother and father of the Jewish repatriation movement to Israel. They have been the targets of KGB harassment and abuse due to their outspoken belief in Judaism and their commitment to emigrate to the Jewish homeland. In 1978 they were exiled to Siberia after publicly demanding that their son be allowed to go to Israel. In 1983 they completed their sentence and returned to Moscow. Today they are still waiting for an exit visa. Alexander, who is a medical student at Temple University, has gained the support of United Nations Ambassador Jeanne Kirkpatrick and Nobel Peace Prize Winner Elie Wiesel in calling for his parents freedom. He has joined us today to speak on Soviet Jewry, the meaning of freedom and on the unconscionable injustice his parents are forced to endure.

Mr. President, I would request at this time the opportunity for Alexander Slepak to address the Senate and the gallery and ask that the Members of the Senate give their usual warm welcome to this distinguished visitor.

The PRESIDENT. Would the Senate join me in greeting Mr. Slepak to the podium for a few remarks.

(Applause.)

Mr. SLEPAK. Mr. President, Honorable Senators, my dear friends and guests: I am here today as a continuation of the effort on behalf of many people who are unfortunate to be kept in the Soviet Union against their will. I was one of those people, but, luckily, I was allowed to leave the Soviet Union, leaving behind my parents, many friends and relatives. I am here today enjoying the freedom, enjoying the democracy of being able to address you, where many of those who I mentioned in Russia are in prisons and deprived of their basic human rights only because they belong to the ethnic minority or because they spoke in their own support for their own benefit without meaning any harm to the state or the government of the Soviet Union.

I want you to listen very carefully because the issue is human lives, and I am not exaggerating it. We are not discussing the issues that can be passed or not passed, we are talking about human lives. My parents are waiting for seventeen years—seventeen long years. Five of those years they spent in Siberia for no other reason but only because they are Jews and because nine years ago, in 1978, on June 1st, which was yesterday, the International Day of the Child was celebrated by

the world, including the Soviet Union. On that June 1st they wanted to go to the street carrying the sign requesting the government to give them permission to join their son in Israel—at that time I was living in Jerusalem—and the KGB barricaded the door outside their apartment, preventing them to go into the street. They put the sign in their window facing the crowd outside. They were beaten, taken to the courthouse, sentenced to five years in Siberia and accused of malicious hooliganism. I want to ask you, since when does the desire to be with your children, since when is the desire to be free considered hooliganism in a modern, civilized society? Are we talking about slavery? Are we involved in an issue where people are kept against their will by force, by mighty force? We welcome the new changes in the Soviet government and in the Soviet Union. We welcome new ideas of reforms, and Gorbachev announced that now they are in the period of "glasnost" or openness.

Just as an illustration of that openness, yesterday I tried to reach my father who was presiding at one of the conferences that Jews in Moscow and Leningrad try to organize privately in several apartments. They gather there to review the situation of the families who are separated from their children or when children are not allowed to join their parents who left earlier. It was a peaceful gesture. They wanted to discuss the issue. They wanted to come to some conclusion of how to approach the problem of separated children and parents, and I tried to reach my father, and many friends of mine in different cities in the United States tried to do the same. All lines to those private groups were disconnected yesterday. That is the "glasnost" we have at hand.

Maybe you know that recently I staged a hunger strike in front of the U.S. Capitol in Washington, D.C. for seventeen days marking the seventeen years of my parents being deprived of freedom, and I got a lot of support from the House, from the Senate, and from the Administration. I had the pleasure of meeting with Secretary Shultz who later went to Russia and met with my parents, among other refuseniks, and the issue was raised to the highest level. A week ago, on my graduation from Temple Medical School, I called my parents and the answer was the same—no visa, no permission. More than that, I invited my mother—if they would not allow them to come here as free people, maybe at least they would allow my mother to come and visit my children, her grandchildren she never had the pleasure to see. A week and a half ago she was turned down even to come to visit for one month, as they put it, on security reasons. She is a physician. She was not allowed to practice for the last, I would say, fifteen years. The answer is ridiculous. Soviet authorities know that the answer is ridiculous and they are not ashamed to throw it to us. Do we consider it as a challenge? Do we consider it as a slap in our face? After two decades talking about equality, democracy, freedom and liberty, they still tell an elderly woman that she cannot visit her grandchildren and her children she did not see for ten years because she had secrets as a doctor.

I am here today to enlist you, to ask for your help. I am not asking to help me, Alexander Slepak, I am asking to help thousands of those who cannot speak today. I am asking you to come forward and join those people who are sitting here in the gallery, people who are fighting for the rights of the Soviet Jews for almost two decades now. We need every single vote, every single hand, every single voice, no matter what party you belong to, no matter whether you are Jewish or not. This is the issue of dignity, the issue of freedom, the issue of liberty, everything that we cherish here in a free country. So in the future when you hear from your colleagues who went to Russia and came back or when you are addressed by our friends, please remember that we are talking about human lives. The sand is running out in the sand clock. My parents are not forever. They applied when they were forty-three. They just celebrated their sixtieth birthday. We do not have peace in our family. My children never saw their grandpa and grandma, and we did not commit any crime against the state or humanity. This is unjust. This is brutal. I spend all my free time and sometimes even the time for my other things to get my parents out and to help others. So, please, give me your help and give us your support. Thank you very much.

(Applause.)

SENATE RESOLUTION

The PRESIDENT pro tempore. Mr. President, as a special order of business following up the remarks of our special guest, may we turn to the order of business of original resolutions? If we may, Mr. President, I would ask unanimous consent to offer a resolution which commemorates today, June 2nd, as Soviet Jewry Day and talks about much of what our distinguished guest has just spoken to us and resolves that a copy of the resolution be transmitted to the General Secretary of the Communist Party, Mikhail Gorbachev, to Soviet Ambassador Dubinin, to President Reagan and to Secretary of State George Shultz.

The PRESIDENT. The Chair hears no objection.

DESIGNATING JUNE 2, 1987, AS "SOVIET JEWRY DAY" IN PENNSYLVANIA

Senators JUBELIRER, STAUFFER, SHUMAKER, MUSTO, SHAFFER, HESS, ROCKS, HOPPER, GREENWOOD, HELFRICK, LEWIS, MOORE, O'PAKE, FISHER, REIBMAN, WENGER, LINCOLN, SALVATORE, RHOADES and GREENLEAF offered the following resolution (*Senate Resolution No. 76*), which was read, considered and adopted:

In the Senate, June 2, 1987.

A RESOLUTION

Designating June 2, 1987, as "Soviet Jewry Day" in Pennsylvania.

WHEREAS, The Soviet Union has publicly affirmed its concern for human rights and is a signatory to the Universal Declaration of Human Rights and the Helsinki Accords; and

WHEREAS, The Soviet Union continues to deny the right of emigration, a fundamental right accorded to all under those

agreements, to 400,000 Jews who have expressed a desire to leave; and

WHEREAS, Many of these people have been awaiting permission to emigrate for over ten years, including Vladimir and Maria Slepak, who first applied for permission in 1970 and have been refused repeatedly; and

WHEREAS, Vladimir and Maria Slepak desire only to live in Israel and see their sons and grandchildren; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania demonstrate compassion and solidarity with the cause of Jews in the Soviet Union and with Vladimir and Maria Slepak by designating June 2, 1987, as "Soviet Jewry Day" in Pennsylvania; and be it further

RESOLVED, That a copy of this resolution be transmitted to the General Secretary of the Communist Party, Mikhail Gorbachev, to Soviet Ambassador Dubinin, to President Reagan, and to Secretary of State Shultz.

PERMISSION TO ADDRESS SENATE

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

Senator SHUMAKER. Mr. President, I rise for a special order of business to give a remark to our guest.

The PRESIDENT. Without objection, the gentleman may proceed.

Senator SHUMAKER. (Phonetically) Achen horashow, Gospodezn Slzypak. Vwe pofttarezchee pravda. Spasheba Bolshoi. Slava bowgoo.

(Congratulations, Mr. Slepak. You speak the truth. Thank you very much. Praise be to God.)

(Applause.)

The PRESIDENT. The Chair thanks the gentleman.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Rocks. His temporary Capitol leave will be cancelled. The Chair recognizes the presence on the floor of Senator Kelley. His temporary Capitol leave will be cancelled.

GUESTS OF SENATOR M. JOSEPH ROCKS PRESENTED TO SENATE

Senator ROCKS. Mr. President, I am both pleased and privileged to present to the Senate some visiting high school seniors from the City of Philadelphia. In doing this, it is always a great opportunity when we introduce people from our district to be able to make a brief comment. I think we destroy a couple of myths today in this presentation. These high school seniors with their teachers, Joe Weston, Calvin Glover, Linda Poley, Sal Santangelo, Jim Tatra, Stewart McDonough, John Deasy and Linda Harris, come from the Walter Biddle Saul Agricultural Science High School. It is the only agricultural high school in the Commonwealth of Pennsylvania. I am proud to tell you they are from my Senatorial district in the City of Philadelphia, and they are from my hometown of Roxborough where the school is located.

Also, Mr. President, in presenting these seniors, I would like to tell you that Saul High School has a placement rate of 97 percent of their graduating student class that will go directly to the job market or to higher education, many of them in colleges in the Commonwealth. In particular, a number of them are going to the six-year agricultural program at the well-known Penn State University.

It is my privilege to present to you, from the Saul Agricultural High School, the visiting senior class.

The PRESIDENT. Would the seniors and the teachers please rise so we can give you our customary warm welcome.

(Applause.)

The PRESIDENT. The Chair thanks the gentleman and all the visiting guests.

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.

RECESS

Senator STAUFFER. Mr. President, I request a recess of the Senate until 4:00 p.m., for the purpose of holding a Republican caucus and a Democratic caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 4:00 p.m., Eastern Daylight Saving Time.

AFTER RECESS

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

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

LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Kelley and Senator Fumo.

The PRESIDENT pro tempore. Senator Mellow has requested temporary Capitol leaves for Senator Fumo and Senator Kelley. The Chair sees no objection. Those leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

COMMUNICATIONS FROM THE GOVERNOR TAKEN FROM THE TABLE

Senator BRIGHTBILL called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

JUDGE, COURT OF COMMON PLEAS,
VENANGO COUNTY

June 1, 1987.

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 March 2, 1987 for the appointment of Michael J. Antkowiak, Esquire, 607 West First Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, as Judge of the Court of Common Pleas of Venango County, to serve until the first Monday of January, 1988, vice the Honorable William Breene, mandatory retirement.

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

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
DELAWARE COUNTY

June 2, 1987.

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 March 2, 1987 for the appointment of Edward S. Lawhorne, Esquire, 407 Moylan Avenue, Moylan 19065, Delaware County, Ninth Senatorial District, as Judge of the Court of Common Pleas of Delaware County, to serve until the first Monday of January, 1990, vice the Honorable Frank J. Lynch, deceased.

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

ROBERT P. CASEY.

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.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 291 (Pr. No. 1025) — The Senate proceeded to consideration of the bill, entitled:

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

for the powers and duties of the State Board of Education; requiring certain public employees to pay a fair share fee; and providing for objections to payment of a fair share fee.

Senator STAUFFER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 291, and that a Committee of Conference on the part of the Senate be appointed.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Lackawanna, Senator Mellow, will state it.

Senator MELLOW. Mr. President, can a motion on the Senate floor be made in the negative?

The PRESIDENT pro tempore. It would be preferable to have it made in the positive, Senator Mellow. However, we have historically allowed that on occasion in the past. If you would like to present the motion in the positive, perhaps Senator Stauffer will withdraw the negative motion, and if you would care to present it in the positive, we can do it that way.

Senator STAUFFER. Mr. President, I would be delighted to yield to the gentleman if he would wish to rephrase the motion in a positive fashion.

Senator MELLOW. Mr. President, can you tell us if there has ever been a challenge to a motion made in the negative on the floor?

The PRESIDENT pro tempore. Perhaps you might want to further define the word "challenge."

Senator MELLOW. Mr. President, has there been a challenge to the full Membership as far as a motion being made in the negative on a concurrence? It has always been my understanding, Mr. President, in the almost seventeen years that I have been a Member of this Body, that any time a motion was made on the concurrence of House amendments, the motion has always been made in the positive and that it had been explained to the Members of the Senate that if you want to vote to nonconcur, then you must then vote in the negative on a positive motion.

The PRESIDENT pro tempore. Senator, the best way I can answer you is by saying that it is preferable the motion be made in the positive. I guess there is no such motion as nonconcur. However, historically, we, indeed, have allowed Members to make motions in the negative, and at those times there have been no challenges and the result, in effect, becomes the same. Again, if you wish to correct the matter and wish to make the motion in the positive, Senator Stauffer has indicated he would withdraw his motion.

Senator MELLOW. Mr. President, I did not make that suggestion about making the motion. I was asked about that privately, if I would make the motion, and I said no at that point in time.

The PRESIDENT pro tempore. The answer to your question is that the Body can allow the motion the way Senator Stauffer has presented it and the matter would be on the vote. However, it is up to the Body.

Senator MELLOW. Mr. President, as a further point of information, can you share with us the Rule of the Senate that indicates the motion can be made in the negative that we are working under?

The PRESIDENT pro tempore. I do not believe there is a Rule, Senator.

The Senate will be at ease.

(The Senate was at ease.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair does indeed note the presence of Senator Lewis on the floor and his temporary Capitol leave will be cancelled.

And the question recurring,

Will the Senate agree to the motion?

Senator STAUFFER. Mr. President, I will withdraw the motion.

The PRESIDENT pro tempore. Senator Stauffer withdraws his motion to nonconcur in House amendments to Senate Bill No. 291.

MOTION TO CONCUR

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 291.

On the question,

Will the Senate agree to the motion?

Senator STAUFFER. Mr. President, since the motion has been placed in the positive by the gentleman from Lebanon, Senator Brightbill, I would ask for a negative vote on the motion.

LEGISLATIVE LEAVE

Senator MOORE. Mr. President, I request a temporary Capitol leave for Senator Armstrong.

The PRESIDENT pro tempore. Prior to the vote, Senator Moore wishes to return to the order of business of Leaves of Absence and requests a temporary Capitol leave for Senator Armstrong. The Chair hears no objection. That leave will be granted.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—25

Afflerbach	Kelley	O'Pake	Ross
Andrezski	Lewis	Pecora	Stapleton
Bell	Lincoln	Regoli	Stewart
Bodack	Lynch	Reibman	Stout
Fumo	Mellow	Rocks	Williams
Hankins	Musto	Romanelli	Zemprelli
Jones			

NAYS—24

Armstrong	Helfrick	Loeper	Shaffer
Brightbill	Hess	Madigan	Shumaker
Corman	Holl	Moore	Stauffer
Fisher	Hopper	Peterson	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Greenwood	Leimmond	Salvatore	Wilt

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

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

RECONSIDERATION OF SB 291

BILL LAID ON THE TABLE

SB 291 (Pr. No. 1025) — Senator RHOADES. Mr. President, I move to reconsider the vote by which the Senate non-concurred in House amendments to Senate Bill No. 291, Printer's No. 1025, and the bill be laid on the table.

The motion was agreed to.

The PRESIDENT pro tempore. Senate Bill No. 291 will be laid on the table.

POINT OF INFORMATION

Senator LINCOLN. Mr. President, I rise to a point of information.

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

Senator LINCOLN. Mr. President, do I understand that the motion was to reconsider and to table at the same time?

The PRESIDENT pro tempore. That is correct.

Senator LINCOLN. Mr. President, then we are right now in a position where the vote has been taken to reconsider and Senate Bill No. 291 is now on the Calendar?

The PRESIDENT. No, Senator.

Senator LINCOLN. Mr. President, I mean it is now on the table.

The PRESIDENT pro tempore. Senate Bill No. 291 is on the table.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

SB 4 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

LEGISLATIVE LEAVES

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

The PRESIDENT pro tempore. Senator Stauffer requests a temporary Capitol leave for Senator Shumaker. The Chair hears no objection. The leave will be granted.

Senator LINCOLN. Mr. President, I would likewise ask for a temporary Capitol leave for Senator Mellow who was called to the same meeting.

The PRESIDENT pro tempore. Senator Lincoln requests a temporary Capitol leave for Senator Mellow. The Chair hears no objection. The leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

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

SB 165 (Pr. No. 1041) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for an ad hoc postretirement adjustment for certain retired members of municipal police and firefighters pension plans.

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 ROCKS. Senate Bill No. 165 in front of us, Mr. President, is a rather significant piece of legislation, significant to any one of us who represent areas at home in our districts that have police and fire departments and particularly retirees. Mr. President, I am going to be casting a vote in support of this bill, but I think a few aspects of it need to be very clearly understood by each and every Member of this Senate. There are concerns in this technical and complicated piece of legislation that I believe should be laid in front of the Senate as this vote is taken. I will express some of those concerns as best I can.

First, the politics of this bill have, in fact, confused me. Practitioner that I attempt to be here in Harrisburg, I am slow to admit to the fact that I am confused by the politics of this legislation. This proposal which, in effect, will now, as it is in front of us, take state dollars and increase pensions for those who are in police and fire pension systems, has been discussed in a number of different ways for a couple of terms in this General Assembly. We have attempted on this side of the aisle to have those concerns fully examined, and that examination seemed critically important so that we were doing, upon the expenditure of significant state monies, the best possible job for those retirees. I wish I were standing today in front of you saying that my support for this bill acclaimed at the same time that we had accomplished that. Not only am I not sure that we have, but I become by the hour more and more concerned with this legislation. I understand the cost of this legislation to this Commonwealth, and I do not have a problem with the cost to the Commonwealth because I believe the people addressed in this legislation need, and in some instances desperately need, the assistance with their pension programs. The cost is \$8.5 million in year one; amortized over a ten-year period of time, which this bill would do, the cost will be over \$64 million to the State of Pennsylvania. I believe we have that obligation, not just on the merits of the issue itself, but

many of us involved in this issue understand we have the obligation in the aftermath of municipal pension reform, which we passed, but we made a commitment and we should well live up to the commitment, particularly to police and fire systems, and in exchange for their support of that critically needed municipal pension reform, we said we would come back here and address their needs. But this bill has taken a couple of turns that either I have missed or no one has given me the road map.

First, in front of us is the inclusion of what is called an offset. Let me explain a couple of things that this offset does. First of all, as a Philadelphian, I will tell you that the legislation proposed prior to the inclusion of an offset would have seen the Philadelphia systems, police and fire, realize some \$5.6 million. With the offset, my vote today in support of this will see those systems cut to \$1.9 million. Understand also that the offset, if you are from Pittsburgh or Scranton, brings you zero for both pension systems, police and fire. If you come from Erie your police retirement system realizes another zero in this legislation and the fire system has been cut approximately 75 percent. I point that out because I am concerned, once again, about the politics of this so-called offset provision in this legislation. I will tell you how as a Philadelphian I read that. I read it in two very elementary ways that should be easily understood. If you come from an area where you have had a strong bargaining unit—and we have that in Philadelphia, Lodge No. 5 of the Fraternal Order of Police of Philadelphia is a strong bargaining unit and Local 22 of the city firefighters of Philadelphia is a strong bargaining unit—you could read this legislation and believe that because you were represented as a retiree in that system by a strong bargaining unit, you are penalized with this proposal. I could also say, as I look at the Pittsburgh experience, that if you had a local unit of government, a municipality, where there was a sensitivity to those persons who served their local government, by my description, in a way where they put their life on the line every day, police and fire, and your local government through negotiated processes or through the passage of their local budgets did something for their retirees, you, too, are penalized in Senate Bill No. 165, because what happens with this offset is COLAs that were either negotiated or given heretofore become a penalty with the passage of the offset provision that is in front of us.

Finally, there is a concern in this legislation that should give each and every one of us the most serious pause—and all I can say in voting for it is it has my strongest hope that somehow we get back at a point in time in the legislative process to look very seriously at what we are doing when we finally pass some law which is going to give an increase desperately needed by many pensioners in this state who have served in their police and fire units. That final concern is the following: pensioners who are out the longest receive the least in this proposal.

Let me give you a Philadelphia example, and I think we ought to be sensitive to a Philadelphia example in this instance because there are 11,400 retired police and firefighters in this state who come under some benefit proposal. In this bill 60

percent of those persons are in the systems in Philadelphia. Let me give you a person who is age seventy-five to seventy-nine who retired at approximately age fifty. That person received an average retirement benefit, as I know him in Philadelphia, at the time of retirement, of approximately \$3,000. Three thousand dollars. Over the years, in reaching now age seventy-five, through negotiations that person's retirement has been raised to approximately \$6,600. Today, in 1987, the neediest pensioner in the retirement system, police and fire, in the City of Philadelphia—it is the oldest, they have the lowest base—receives zero benefit in this proposal.

Mr. President, I think that is the exact opposite intent of what many of us have had in a consideration of taking state dollars and finally getting to some level of an existence those persons who performed jobs where literally they put their lives on the line in service to their city or to their municipality.

Mr. President, I have no doubt this bill is going to pass today. It is going to pass with my vote of support for what I believe is a long overdue increase to those persons who have served in government in a way that each and every day of their lives they are in two of the most vital public safety roles in Pennsylvania. We have an obligation to them and we ought to face up to that obligation. But, Mr. President, it is my fondest hope that in the end we do this thing right, and Senate Bill No. 165 at this moment in time is just not right enough for the expenditure of dollars we are going to make and should make to the people in this state who have been police and firefighters and deserve this increase. We can do better than this product. There remains a willingness on this Democratic side of the aisle to at any point in time sit down and get this right. We have discussed that before. We made a tabling provision whereby I thought the charge was very clear that we were going to take some different approaches to this and go and get the actuarial numbers back, but for some reason—maybe someone can explain the reason prior to this vote—that did not take place. Instead of allowing the actuarial studies to be done with our retirement commission put on notice and fully prepared in an expedited manner to get the work done on them, this bill was rushed off the table into the Committee on Appropriations, and, like a greased skid, back onto the floor of this Senate. I think for what our obligation is to firefighters and police law enforcement officers who are retired and to whom we owe something, we ought to be a little bit more thorough than we have been at this point in time.

With those remarks having been made and those concerns expressed, Mr. President, I thank the Senate for listening to the concerns we have as Senate Bill No. 165 is being voted on today.

Senator SALVATORE. Mr. President, I am happy to hear that my colleague is going to support Senate Bill No. 165. After many months of debate and a lot of hard work, we are finally seeing a piece of legislation passed that is long overdue. Long overdue because in 1982 when the league of cities got together and passed Act 205, the city shortchanged the very people they should not have, the firemen and the policemen, who have given their lives to protect the citizens of this state—

many of them—and the rest of them who went out on pension never received their just due. The cities—and Philadelphia being one of the cities—received monies because of Act 205, and they never passed anything on to the pensioners.

I say, Mr. President, in the sake of brevity this evening, I am happy for all the retirees, and I hope this is not the last for them. I hope they are treated like first-class citizens like we treat other people in this state, as we treated other state employees, as we treated the public employees and the school teachers, and, in the future, that all of them are treated fairly so they can all live in dignity as they retire.

Senator LEWIS. Mr. President, possibly with the exception of local tax reform, there has been no issue that has captured more of my time and attention during my thirteen years in the State Senate than that of municipal pension reform. You may recall, Mr. President, that some ten or eleven years ago this Senate established a special ad hoc committee to report to the Body proposals on how to modify the municipal pension system, which we all sensed was spiraling out of control. The ninety-page report of that committee has been recognized as one of the most in-depth writings on the subject ever produced by a state government group. As a direct result of those proposals, Act 205 was adopted some five years ago and the Public Employee Retirement Study Commission created. Along with that commission, of course, we identified and have implemented a variety of mechanisms designed to try to bail out the municipalities from the almost overwhelming unfunded liabilities that existed within their municipal pension systems, while, at the same time, obligating them to substantially reform the prior practices, so we would assure future generations that similar problems would never again arise.

It was in the context of all of that work that the issue of police and fire cost-of-living adjustments came to the forefront. Mr. President, I find myself compelled to correct or modify a comment made by my colleague from Philadelphia, Senator Salvatore, and that is that at the time when this legislation was being adopted, the cities did not shortchange the very people they should have been watching out for. In fact, part of the compromise arrived at among the townships, the boroughs and the cities included the commitment and the obligation on their part, as well as on the part of those of us as Legislators who are in the forefront of this issue, to speak directly to the issue of police and fire pension cost-of-living adjustments. We are doing that today. It is unfortunate it has taken five years for this issue to reach the floor of the Senate, and there will be nothing constructive to be gained by my reviewing the reasons for this delay, although I think they are well known to each of us here. What is unfortunate, however, is that there are significant aspects of this subject which are not adequately spoken to in this bill, in my opinion. As I say that and while I intend to elaborate a bit on at least two of those areas, I also hasten to say that I am going to vote in favor of this bill, because, although it may be deficient in my opinion in many areas, nevertheless, it is so long overdue that we now need to take some affirmative action on some piece of

legislation in this Body. Most importantly, I think we do a disservice to all involved when we try to throw the entire financial burden for this cost-of-living adjustment onto the Commonwealth. I can say to you that it has never been the anticipation or the expectation of any of the parties involved that that would be the case. I have been in discussions with representatives of the League of Municipalities for at least four years on this subject, and I can tell you they have always been prepared to bear their fair share of a burden that is caused because of problems which were created in part by their actions or inactions. We all realized, however, that the financial obligations of doing this job correctly were likely to be more than the cities themselves could bear. That is what gave rise to the thought that the Commonwealth had to assist if there was going to be any solution. But for this bill, as it now does, to throw that entire burden over onto the Commonwealth has to lead me to believe there are objectives here that are different than merely helping police and fire, but that, in fact, there are intentions at creating political embarrassment for this Administration. I am sorry to have to form that conclusion because it can clearly and obviously become a cloud over the bigger and more important issue, and that is the long overdue cost-of-living adjustment for these retirees. But it is, in my opinion, an inescapable conclusion based upon the history and the facts that are now before us, and I deeply regret that it has found its way into this legislative proposal.

Secondly, and with this point I will be elaborating to some extent on comments already made by the gentleman from Philadelphia, Senator Rocks, and that is, the benefit structure as outlined in this legislation I think woefully misses the mark for which it is intended. I will not again talk about the pension offset factors which he has already so clearly discussed, but instead talk about the failure to mold benefits to those who need them the most. One of the misfortunes of a formula that simply deals with longevity and a base of a salary at retirement is that it is almost guaranteed to miss those who most need the assistance of a cost-of-living adjustment. It is virtually guaranteed to leave inadequately behind those who currently receive the smallest pensions, because the circumstances at the time of their retirement were not as they should have been. It is almost guaranteed to fail to bring above the poverty level those retirees who most need our help, and, in fact, conversely, it is most certain to help those in the greatest manner who are least among the needy, and I regret the fact that we have not been more creative and imaginative with regard to a formula.

Finally, I am most disappointed about the fact that we have not been able to cooperatively and unitedly work together in both the Legislature and in the Executive Branch. This is a difficult problem that will not go away, that cannot go away and that must be addressed by all of us, and there are clear political ramifications that we all have to be sensitized to because, on any occasion when we adjust a pension benefit for one group, we run the risk of having others come back and say: "Now you have to do the same for us." This issue is so

clearly distinctive from any other that I, for one, am not fearful of that kind of a problem. Yet, I know that it will have to be dealt with, and I regret the fact that we have not been able to more straightforwardly and more effectively address this issue while putting aside all these other concerns, because, in the long run, it will be the retired police and firefighters who suffer because of the inadequacies of our legislative efforts. While we need to move this legislation from this Chamber today, I am hopeful that our colleagues in the House will take some of the history and the background and the comments that have been made on this floor and use that to further refine and tailor this proposal so that it will hit the target we are all aiming for.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Before we proceed, the Chair notes the presence on the floor of Senator Kelley and his temporary Capitol leave is cancelled.

And the question recurring,
Shall the bill pass finally?

Senator PECORA. Mr. President, I am very concerned due to the fact of the previous legislation that we passed a year or two ago. We appropriated for the police and firemen's pension program—as an example, no derogatory concern of any city or municipality—\$16 million or more per year for the next fifteen years to the City of Philadelphia to make their pension program financially stable. We also appropriated \$8 million—not exact figures, but close—to the City of Pittsburgh, which also neglected their responsibility to provide a financially stable pension program to their police and firemen. Mr. President, I remember in the City of Pittsburgh the previous administrations—not Mayor Caliguiri, he inherited the problem—used Act 205 monies they received to balance their budget instead of balancing their pension program. So what we are doing, Mr. President, we are suffering the ills of the poor functions of municipal governments across this Commonwealth that neglected their responsibility and used monies that were appropriated to them for pension programs for budget programs. Of course, it is outstanding to say, well, we kept your taxes down this year, but they did not tell you they robbed the firemen and the policemen. They robbed Peter to pay Paul so they look like the great savers of our tax dollars across this Commonwealth. It is admirable that the gentleman from Philadelphia, Senator Salvatore, has worked so hard to provide this legislation to resolve the financially distressed firemen and policemen who receive pensions that are unsuitable compared to other jobs in this Commonwealth, and I, for one, will support this legislation. I feel it is an obligation and a responsibility that we have inherited because of the neglect of elected officials in municipalities. What we should have done years ago before the horse escaped from the stable was to shut the door. We should have fined the municipalities that violated these pension programs, and we should have represented these constituents. Then I would be criticizing the previous Legislators who served before me. We inherited a problem that we are trying to

resolve, and Hank Salvatore, the great Senator from Philadelphia, has worked diligently to represent these people who were discriminated against by their pension program.

Senator LEWIS. Mr. President, I feel compelled to rise to clarify and correct a few of the comments made by my colleague from Allegheny County. Pensions have always been an emotional issue. In fact, one of the reasons we have all gotten ourselves into so much difficulty with pensions is because we reacted emotionally rather than intelligently. Unfortunately, emotion cannot be, in my judgment, an excuse for inaccurate information, and some of the things which he recited just a few moments ago are blatantly inaccurate and I think have to be corrected. There has never been an occasion in which monies have been allocated by this General Assembly—in recent times, at least, certainly in the thirteen years I have been here—for the benefit of municipal pension systems in which that money has not specifically and directly gone to those pension systems. There has not been one dime that has ever been appropriated from this General Assembly for that purpose which has been used for General Fund purposes by any municipality, and to suggest that is the case is just absolutely inaccurate. Furthermore, when we start talking about the reasons why pension systems in municipalities are in the difficulties that they now are, there is blame enough to go around for all, and the bulk of it must be shouldered by this very General Assembly, because what we have found historically is that by state statute the benefits of municipal pension plans have time and time again been expanded by us with no corresponding opportunity for the municipalities to financially cover the obligations which we have imposed upon them. We have placed caps on the maximum amounts of contributions at the same time as we have been increasing benefits. And, yes, there is plenty of blame to go around for the members of those funds, too, because, as often as not, they are the ones who sit on the boards and comprise the councils that form the investment opinions as to how that money is to be utilized. If you were to study some of the investment history of the police and fire and municipal pension funds in this Commonwealth, you would be absolutely appalled at the decisions that were made by some of those beneficiaries who were sitting on those boards. So, while there is, as I said, Mr. President, sufficient blame to be passed around for all who have ever come into contact with these funds, I do not think there is anything to be gained by trying to suggest that some group of political personalities located in municipalities have attempted to do with design and malice aforethought horrible things to the pension plans of their retirees that only those of us in Harrisburg who wear white hats and have nothing but accolades to put in front of us can come and correct. Those just are not the facts, but the problems exist and the need for a solution, nevertheless, remains clear, and it is equally clear that without our constructive help and participation, there will not be a solution. So let us look forward, let us be constructive and let us solve the problem rather than try to see how much of the blame we can throw off onto other people.

Senator PECORA. Mr. President, I am amazed that we have a Senator on the other side of the aisle who lives in a glass house. I served in municipal government. I was active in meetings to set up pension programs. I am knowledgeable of them because I worked on pension programs. I set up the pension program for the municipality of Penn Hills where previous administrations used pension monies that were appropriated under Act 205 in other budget programs which it was not designated for. I do not live in a glass house. I worked from the bottom up in municipal government. I have checked on the City of Pittsburgh. I have found how the pension program monies were misused. I am not blaming anyone. I mean all they did was take the money from Peter to give it to Paul. Mr. President, when they kept their taxes down, they looked great to their constituents but then that tax burden was passed on to this Commonwealth. We fell into it where we inherited the problem and that is why we have appropriated these monies in the last few years. As far as the monies that were given to Philadelphia and Pittsburgh and the other municipalities under the bill that was passed two years ago, I am not assured on what they are doing with that money. I am judging by my term as a municipal government official and the misuse of pension program monies that were done at that time. But one thing I also was amazed by, Mr. President—it was all so amazing—is they requested an opinion from their solicitor if they can do that, and their attorney, who was the great white father of that municipality said, "Oh, you can do it. It can be done. It would be no violation of the law." So they proceeded to do that and they kept their budgets down and they took advantage of the poor policemen and fire persons. Mr. President, I must advise some of my colleagues to get out of the glass house and get into reality.

LEGISLATIVE LEAVE

Senator LINCOLN. Mr. President, I would request a temporary Capitol leave for Senator O'Pake.

The PRESIDENT pro tempore. Senator Lincoln requests a temporary Capitol leave for Senator O'Pake. The Chair hears no objection. The leave will be granted.

And the question recurring,
Shall the bill pass finally?

Senator KELLEY. Mr. President, I have only one observation after listening to the debate on this matter and that is that we all should bear in mind that there are literally millions of people and billions of dollars worth of property in this Commonwealth that are protected by volunteers, and I am referring to the volunteer fire companies. I only want to suggest to my colleagues, Mr. President, that there will be another time when we should be giving consideration to make sure that we perpetuate this great service that these people do by the additional aids of a bill originally introduced by the gentleman from Perry, Senator Moore, where we give them the low interest loans for equipment. I just want to say that does not necessarily reflect the merits of this bill before us but only intangible benefit that we in this Commonwealth receive because of these volunteers, and we should have the same sympathetic

appeal when we come to the time to enlarge and expand those benefits for those volunteer organizations.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 208 (Pr. No. 1545) — 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 LINCOLN, on behalf of Senator MELLOW and Senator FUMO, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 2, line 3, by striking out all of said line and inserting:

State appropriation.....\$26,359,000

On the question,

Will the Senate agree to the amendment?

Senator LINCOLN. Mr. President, this amendment I am offering is being offered on behalf of the gentleman from Lackawanna, Senator Mellow, and the gentleman from Philadelphia, Senator Fumo. It would increase the appropriations to the Public Utility Commission by approximately \$370,000, and the reason and logic for this is that very shortly there will be two new members and there is a need for this additional money.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I request a temporary Capitol leave for Senator Salvatore.

The PRESIDENT pro tempore. Senator Stauffer has requested a temporary Capitol leave for Senator Salvatore. The Chair sees no objection. The leave is granted.

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

The PRESIDENT pro tempore. Senator Lincoln has requested a temporary Capitol leave for Senator Williams. The Chair hears no objection. The leave is granted.

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

Senator STAUFFER. Mr. President, the amendment that we are considering at this time provides for an increase of over \$300,000 in the budget of the Public Utility Commission. I would ask for a negative vote on the amendment. I would point out to the Members the bill as it is before us is the amount which Governor Casey has indicated is the sufficient amount and the amount that he requests for the operation of the PUC for the coming fiscal year. I would also indicate to the Members of the Senate the amount that Governor Casey has requested is a duplicate of the amount which the Senate had previously approved in the bill we passed a few weeks ago, so I believe there is agreement this is the proper level of funding and there will be no need for further increases in that level of funding and, therefore, believe that a negative vote on the amendment would be in order.

LEGISLATIVE LEAVE

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

The PRESIDENT pro tempore. Senator Lincoln requests a temporary Capitol leave for Senator Ross. The Chair hears no objection. That leave will be granted.

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

Senator LINCOLN. Mr. President, I think the Majority Leader has very adequately described the situation up to now at the present time. We do have on the Senate Calendar for a vote at some near future date a confirmation of two new commissioners, and the request for this additional money came from the new chairman of the PUC in anticipation of expenses that will be incurred because of the two new commissioners. For that reason, I would request a positive vote.

Senator STAUFFER. Mr. President, I would point out to the Members that the argument with regard to the two additional commissioners is an improper argument because the budget of the Public Utility Commission already contains, as it always has, the full funding for a five-member commission. The fact we have had vacancies existing means there has been excess money that has been available that was not used the way it was intended. The bill as before us, with the amount proposed by the Governor and the amount that we support, does contain funding for a full commission.

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

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

YEAS—23

Afflerbach	Kelley	Musto	Ross
Andrezski	Lewis	O'Pake	Stapleton
Bodack	Lincoln	Regoli	Stout
Fumo	Lynch	Reibman	Williams
Hankins	Madigan	Rocks	Zemprelli
Jones	Mellow	Romanelli	

NAYS—26

Armstrong	Helfrick	Moore	Shumaker
Bell	Hess	Pecora	Stauffer
Brightbill	Holl	Peterson	Stewart
Corman	Hopper	Rhoades	Tilghman
Fisher	Jubelirer	Salvatore	Wenger
Greenleaf	Lemmond	Shaffer	Wilt
Greenwood	Loeper		

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

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

LEGISLATIVE LEAVE

Senator LINCOLN. Mr. President, I request a temporary Capitol leave for Senator Lewis who has been called to his office.

The PRESIDENT pro tempore. Senator Lincoln requests a temporary Capitol leave for Senator Lewis. The Chair hears no objection. The leave will be granted.

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

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

On the question,
Shall the bill pass finally?

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

YEAS—49

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

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.

**PREFERRED APPROPRIATION BILL
ON THIRD CONSIDERATION AMENDED**

HB 209 (Pr. No. 1546) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting:

Making appropriations to the Department of General Services out of various funds for payment of rental charges to The General State Authority.

Amend Sec. 1, page 1, lines 5 through 9, by striking out all of said lines and inserting:

Section 1. The following sums are hereby appropriated out of the funds indicated to the Department of General Services for the fiscal year July 1, 1987, to June 30, 1988, for payment of rental charges to The General State Authority:

Out of the Fish Fund	\$68,000
Out of the Boat Fund	12,000

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 TILGHMAN.

**PREFERRED APPROPRIATION BILL
OVER IN ORDER**

SB 814 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILLS OVER IN ORDER

SB 8 and 9 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON THIRD CONSIDERATION AMENDED

SB 46 (Pr. No. 982) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Secretary of the Department of General Services, the Secretary of Transportation and the Pennsylvania Turnpike Commission to reimburse volunteer fire, ambulance and rescue companies who respond to fires or other emergencies on State-owned property, limited access highways and the Pennsylvania Turnpike; and making appropriations.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?
Senator WENGER, by unanimous consent, offered the following amendment:

Amend Title, page 1, line 1, by striking out "the Department of General Services," and inserting: General Services and Amend Title, page 1, lines 2 and 3, by striking out "AND THE PENNSYLVANIA TURNPIKE COMMISSION"

Amend Title, page 1, line 5, by inserting after "property,": including

Amend Title, page 1, lines 5 and 6, by striking out "AND THE PENNSYLVANIA TURNPIKE"

Amend Sec. 1, page 2, lines 2 through 6, by striking out all of said lines

Amend Sec. 2, page 2, line 9, by removing the comma after "Services" and inserting: or

Amend Sec. 2, page 2, line 10, by striking out "OR THE PENNSYLVANIA TURNPIKE COMMISSION"

Amend Sec. 2, page 2, line 12, by removing the comma after "Services" and inserting: or

Amend Sec. 2, page 2, line 13, by striking out "OR THE PENNSYLVANIA TURNPIKE COMMISSION"

Amend Sec. 2, page 2, line 17, by removing the comma after "property" and inserting: or

Amend Sec. 2, page 2, line 17, by striking out "OR THE PENNSYLVANIA TURNPIKE"

Amend Sec. 2, page 2, line 21, by removing the comma after "property" and inserting: or

Amend Sec. 2, page 2, lines 24 through 26, by striking out all of said lines and inserting: highways.

Amend Sec. 2, page 2, line 28, by removing the comma after "SERVICES" and inserting: or

Amend Sec. 2, page 2, lines 28 and 29, by striking out "OR THE PENNSYLVANIA TURNPIKE COMMISSION"

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 WENGER.

BILL OVER IN ORDER

HB 79 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILLS ON THIRD CONSIDERATION AMENDED

HB 87 (Pr. No. 1542) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the celebration of the 200th Anniversary of the first reading of the newly adopted United States Constitution; and providing for a Joint Session of the General Assembly to be held at Independence Hall in Philadelphia, Pennsylvania.

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, page 4, line 5, by inserting after "Assembly": and its members

Amend Sec. 4, page 4, line 6, by striking out "reimbursed according to law." and inserting: paid or reimbursed from funds appropriated to the Capitol Preservation Committee for the State Bicentennial Legislature to celebrate the Bicentennial of the

United States Constitution pursuant to section 262 of the act of July 1, 1986 (P.L.1776, No.5A), known as the General Appropriation Act of 1986, and shall be governed by the expense limitations, procedures and requirements contained in the Financial Operating Rules of the Senate for expenses of the Senate, its members and employees and by the expense limitations, procedures and requirements of the House of Representatives for expenses of the House of Representatives, its members and employees.

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.

SB 96 (Pr. No. 101) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the identification of lessees of motor vehicles.

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. 1305), page 2, line 2, by inserting after "of": up to

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 152 (Pr. No. 170) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 230), known as the "Pennsylvania Election Code," further providing for public buildings being used as polling places.

Considered the third time,

On the question,
Will the Senate agree to the bill on third consideration?
Senator LINCOLN, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 527), page 2, line 28, by inserting after "building": which is to serve as the polling place is located in an election district immediately adjacent to the boundary of such borough and

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 LINCOLN.

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

SB 159 (Pr. No. 164) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 15, 1961 (P. L. 987, No. 442), entitled "Pennsylvania Prevailing Wage Act," increasing the base dollar amount of projects.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator ROCKS. Mr. President, I rise in opposition to Senate Bill No. 159. A number of us have listened for some time to the concept involved in taking the existing cap of \$25,000 and raising it for certain projects to a limit of \$50,000. In posing this legislation, knowing its author and knowing the support that has come for it, I know it to be well-intentioned, but there are a couple of concepts that have been proposed along with this so-called raising of the cap that I think need to be clearly understood.

First, for anyone sensitive to the prevailing wage statute in this Commonwealth, it would be impossible to view this legislation as anything other than an assault on prevailing wage. The argument that is made that somehow with this legislation we save taxpayers money is one that, in fact, escapes me. Let us take the example of a school district project that, with the cap raised to \$50,000, moves through a low bid process and probably goes to a nonunion bidder. With the exception now made to the prevailing wage law of this Commonwealth, what we have in front of us is a piece of legislation that is a very nice profit law for small nonunion contractors. If that is the intent, then let us understand it as that. But, anything other than that I think needs to clearly be understood before this vote is taken as an attack and assault on the Prevailing Wage Act of the Commonwealth of Pennsylvania.

Secondly, the argument that surrounds this is the amount of time that has passed with an increased cost of living and the cost of everything up since we have raised the cap. I would view that in striking contrast to the father of prevailing wage, if I may use that, the Davis-Bacon Act, our federal statute in existence for over fifty years whereby still today a \$2,000 limit exists in order to preserve for the sake of union skilled wages what is a prevailing wage concept. There is no reason for that to be viewed any differently here in this Commonwealth.

Based on those concerns, and at least for myself and for a few others who are watching this very carefully and listening to the arguments that have been presented, I will stand in opposition to this bill and hope that the opposition is understood very, very clearly, and that is for the attack that takes place with the consideration of this on the prevailing wage concept in this Commonwealth of Pennsylvania.

Senator WENGER. Mr. President, the bill before us would increase the threshold from \$25,000 to \$50,000 for applying the Prevailing Wage Act provisions to public works projects. I think I am sensitive to the Prevailing Wage Act just as the gentleman from Philadelphia mentioned that he was. I think

if you realize the fact that the present \$25,000 threshold was established in 1963, then if you simply made some consideration for the inflationary trend since 1963, you would realize that if \$25,000 was the correct figure at that time, today's figure should, indeed, be even higher than the \$50,000 that we are suggesting in the bill before us.

I think what we need to realize is that this is not an attempt nor indeed is it a change in policy in the Prevailing Wage Act. It is simply an attempt to play catch up and, perhaps, rather a poor attempt, because if we were to go by the inflationary rate, we would need to increase it to at least \$62,500 according to the figures I have. The gentleman mentioned the school construction. I am sure he realizes there is a provision in the school code itself for prevailing wages in school projects and so they have a separate consideration there to begin with, but, basically, what you are looking at here is those small projects in small municipalities—and they are all across the Commonwealth of Pennsylvania—where you have a small project that runs somewhere between the present threshold of \$25,000 and the proposed threshold of \$50,000 here. In most cases they are in rural areas where you do not have union contractors bidding on those projects anyhow, so what happens is you then have the small contractor who is bidding on that project having to come into compliance with this. Yes, that person—it is basically a nonunion person who is working on that project during that short period of time—will realize a somewhat higher wage during the time he is working on that project. That may be beneficial to that worker, to that craftsman at that particular time, but when he goes back to his regular routine kind of work where he is not covered by prevailing wage, then he will again find himself in the same situation he was before. But, what happens is it increases the cost to that municipality. I really do not think there is any reason for us to do that. I do not think we are really protecting anyone. What we are doing is penalizing those small municipalities that are doing small jobs under \$50,000. If you have done any construction work, if you have any experience in the building trades, you realize that you do not do any sizable contract jobs for less than \$50,000. Obviously, the taxpayers in those municipalities are the ones who foot the bill for the difference. At a time when we are seeing the termination of federal revenue sharing, and we have looked at a variety of opportunities to help our municipalities across the Commonwealth meet their budget crunch due to that loss of federal revenue sharing, it seems to me that here is an opportunity to make a small step, small indeed, but an opportunity to help those municipalities without really penalizing anyone or, at least in my opinion, not making any policy change in the Prevailing Wage Act, because you are simply making the adjustment for inflation and, as I indicated earlier, even a smaller adjustment than the inflation rate itself would call for. For this reason, I think this bill is a good government bill, and I would ask for an affirmative vote on the bill.

Senator BELL. Mr. President, I respect the gentleman from Lancaster, Senator Wenger, but I also am very aware of an atmosphere that exists among the unionized working people

of Pennsylvania. I was at a meeting of the United Food and Commercial Workers this morning and I was asked publicly why the Republican Party is against the working people. I was reminded of the threat to hurt the workmen's compensation payments. I was reminded this morning of the threat to cut back on unemployment compensation payments. We just went through a rather bloody episode with the fair share vote. I can see those who in the unions represent the overwhelming majority of the working people, in my district at least, seeing this as a camel's nose bill or a leak in the dike. They will interpret this vote as a forerunner of union ripping and union attacking. God knows I get the mail that other Republicans do and I am voting against this bill.

Senator BODACK. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Wenger.

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

Senator WENGER. I will, Mr. President.

Senator BODACK. Mr. President, I would like to ask the gentleman if he has done a study on this and can tell us how much the municipalities throughout the Commonwealth could expect to save with this bill?

Senator WENGER. Mr. President, we did take a look at some figures and it is kind of difficult to get a real good handle on what would happen in a respective year, but we did look at a year—I think it was utilizing 1984 expenditures—and raising the threshold in that particular year to \$50,000 would have potentially affected about sixty-six projects valued at close to \$2 million. Again, it is difficult to project what the savings would be to the municipality because what will the wage be in that particular municipality, notwithstanding the prevailing wage, and that might vary depending on where the municipality was located and what the market price was for the building trades or the craftsmen, or whatever particular project they were doing. So it is very difficult to say what the actual saving would be. It would not be a tremendous amount. We estimated that it might have amounted to something like \$400,000 to those municipalities involved. Again, Mr. President, I want to point out, I think the gentleman realizes the difficulty in really getting the figure to us, but it is not too difficult to get the prevailing wage scales in respective areas. But what the wage would be on that respective job that ran somewhere between \$25,000 and \$50,000 would depend, perhaps, on the economy in that particular area and would vary across the state and some municipalities might realize greater savings than others.

Senator BODACK. Mr. President, I would think it would be no more difficult to figure out the cost or the savings on this than it would be for us to figure if it were a state bill and we were spending money as to what it was going to cost us for these sixty-six projects. I would ask the gentleman further, Mr. President, if there is a municipality in particular with which he is familiar that he could tell us what their cost saving would be on a project that may be on the board or presently under construction? We are talking about one project now.

Senator WENGER. Mr. President, I do not have a specific project in mind. I do have—I do not have it up on the floor with me—down in my office several letters from municipalities requesting this kind of relief because it would be beneficial to them, but I do not have a specific project and I really do not want to get into that. I have given you an estimate and they are only estimates as I am sure you understand. It would vary from municipality to municipality. It would be some saving. It would not be a dramatic type of a thing. It was not designed to be that. It was designed simply to catch up with the inflationary rate and to have the \$25,000 which was established in 1963 become a realistic figure as of today's economy.

Senator BODACK. Mr. President, the gentleman has also stated that the smaller areas across the Commonwealth would save money in the various municipalities, and he cites some approximately sixty-six of them. I am wondering if he could tell us what effect this would have on the larger industrial or metropolitan areas where there is conceivably more work being performed, what the cost savings would be to those municipalities or even to the state government?

Senator WENGER. Mr. President, the savings would obviously not be significant in a larger municipality for the simple reason you are dealing with larger buildings and larger construction jobs and you would simply not be getting a construction job in a large municipality that would fall under \$50,000, at least not generally speaking, and for that reason the saving is more or less limited to those smaller municipalities. Anywhere across the Commonwealth the larger municipalities obviously need a larger building, a larger garage, a larger shed, whatever they need to store equipment, what have you, and so they would obviously not be benefiting, and their jobs would continue to come under the prevailing wage provision just as they do presently.

Senator BODACK. Mr. President, I would further ask the gentleman, if he does not have those figures for us, if he is able to tell us how much money the working person would lose when these projects are bid and nonunion labor goes to work on them, how much the union workers would lose by the effect of these sixty-six projects?

Senator WENGER. Mr. President, the gentleman knows full well that that is again a very difficult exact figure to project. However, I will say, which I had indicated earlier, the fact that there would probably be very little loss to the union worker because we are looking at those smaller projects in those more rural areas, not necessarily rural but at least smaller municipalities, and they are the jobs that are generally not being bid by union contractors or work being done by the union workers. However, as I indicated earlier, even in those areas presently—and it would be the same except that the threshold would be higher, it would be \$50,000 rather than \$25,000—that whenever you come to the prevailing wage public works project, nonunion workers do benefit at that particular time, temporarily, while they are working on that project. So, a project that is less than \$50,000 is obviously not going to have a large crew of workers on it, but, nevertheless, during the time when they work on that project, Mr. Presi-

dent, the difference would be between the true prevailing wage in the area that the market had established and the artificial prevailing wage established by the Prevailing Wage Act. If the economy were strong to the extent that the actual wage for workers in that area was at or anywhere near the prevailing wage as provided for in the act, then there would be no difference. The workers would be getting the same and the savings would be insignificant, but in some areas, as I indicated earlier, Mr. President, there is a difference, sometimes a substantial difference, between what is really the going rate for the workers in that area and what is the prevailing wage as provided for in the act itself. So, you know, there is no exact figure. It would vary from one project to another.

Senator BODACK. Mr. President, I would ask the gentleman if he could answer one other question in less words. I believe the gentleman stated earlier in rural Pennsylvania—if I could borrow that term—there is to be a savings to the communities on the projects to which he refers of \$50,000. I would ask the gentleman if he could tell me by that work being bid by nonunion contractors, how much those nonunion contractors' employees will lose with this provision? It is my understanding that currently they must be paid the prevailing wage.

Senator WENGER. Mr. President, in many cases they will not lose anything, because what really happens is when the cost of those projects which have to be bid at prevailing wages comes in, they are beyond the capability of that municipality and, therefore, instead of building the storage shed or the salt shed, or whatever they are going to build that would cost less than \$50,000, they decide they are not going to build it at all. So I think what you are really doing is inhibiting those smaller municipalities from the construction work they might do otherwise, and I think rather than losing work or wages due to the passage of this bill, we might actually be providing some employment opportunity and some economic incentive in those smaller communities by the passage of the bill.

Senator BODACK. I thank the gentleman.

Once again, Mr. President, I do not know why I am thanking him because I have not received any answers to my questions. It is obvious that the Senator is not aware of the very points that he tried to make, that employees in the rural areas would now get less money for a project that would have to be bid out with a \$50,000 cap, thereby giving the workers on those projects less than the prevailing union scale. That translates to me, Mr. President, to less money for that working person. I would have asked more questions of the gentleman. I would ask what would happen with a \$50,000 project that would open up and have change orders tacked onto it immediately that could take the cost to \$75,000, to \$100,000, to \$150,000, or even \$1 million, which could happen. I am sure the gentleman has equally not researched that end of it.

It seems to me, Mr. President, that we are hell bent in this Body on taking money away from the working stiff in this state. I do not happen to subscribe to that and I do not think everyone on the other side of the aisle does, and I would cer-

tainly ask for those people who feel something for the working person to vote "no" on this piece of legislation.

LEGISLATIVE LEAVE

Senator LINCOLN. Mr. President, I would request a temporary Capitol leave for Senator Jones who has been called to her office.

The PRESIDENT pro tempore. Senator Lincoln requests a temporary Capitol leave for Senator Jones. The Chair hears no objection. That leave will be granted.

And the question recurring,
Shall the bill pass finally?

Senator LINCOLN. Mr. President, I have listened to the arguments on this piece of legislation and I agree completely with the gentleman from Delaware, Senator Bell, that this legislation is an effort to tear down a little bit more of what the workingman and woman who would be part of unions have become over the years and are now fighting to keep from being pushed back from where they started about sixty, seventy or eighty years ago. Our Prevailing Wage Act in Pennsylvania is modeled after the federal Davis-Bacon Act, which was passed in 1931, and I think the fallacy of the argument on the part of the sponsor of the bill is that I do not believe we are looking to make an effort to keep up with inflation, because that was not the original intent of the threshold in the federal law and in the state law in 1961 when it was passed. We have in the federal law, the federal Davis-Bacon Act, the exact same threshold of \$2,000 and 25 percent federal funding of a project that was there in 1931 when the act was passed. We did not change the \$25,000 since the early sixties because the men and women who served in this Body believed we were protecting local jobs by not allowing a small contractor to bring in out-of-town, nonunion employees. You are going to make a determination by your vote as to, one, whether you agree with the Davis-Bacon theory at all and the Prevailing Wage Act of Pennsylvania, or you are agreeing that we should do less protecting of our local economy and our local working force in allowing people to come from wherever, from the south or from the southwest or from Ohio, or wherever, to come in to work for less than what people should have to provide their family with the kind of food and housing that they need. That may sound like a rather strong statement, but I think if you would go back to the debate that took place in 1931, whenever the Davis-Bacon Act was passed, you would probably find a lot stronger words than that on both sides of the issue. I would love to have been party to the debate that took place in the early sixties, knowing how Pennsylvania took thirty years to pass a piece of legislation that had been passed at the federal level because of the Republican dominance of Pennsylvania through the thirties and forties and, finally, we became a state where they had an even balance of Democrats and Republicans serving in this Body. The influence of Governor Leader and Governor Lawrence and the General Assemblies that were elected during those periods of time led to, finally, thirty years later, a Prevailing Wage Act being passed here in Pennsylvania. I implore

you this evening to leave it alone, to vote "no" on this legislation, to keep the threshold at \$25,000, because it was not intended to be part of an inflationary spiral. It was not intended to do that or we would have changed it many times over the last twenty-five years. I would urge you to consider your vote—and it is a very important vote this evening—and to vote "no" on Senate Bill No. 159.

Senator BELL. Mr. President, I did not intend to make a second short talk, but as I sat here and thought, perhaps what is \$50,000 today, tomorrow is \$100,000, next month it is a quarter of a million dollars. This is what you call a feeler. I also thought when I heard the gentleman from Allegheny, Senator Bodack, question, you know, I think it costs just as much for a loaf of bread in rural Pennsylvania as in Delaware County, Pennsylvania. I think it costs even more for many of the foodstuffs because the rural areas have mom and pop stores and we have the big supermarkets with Thursday night specials. I think to clothe kids and put shoes on their feet in rural Pennsylvania costs just as much as it does where I come from. It just strikes me that something is wrong in this picture to stress the fact that in rural Pennsylvania people should be paid less than in other parts. I do not know what the story is, but I was in Hershey today—which, I believe, is rural Pennsylvania—and they have some brand new condominiums over there and I think they cost even more than they do down where I come from. I think a vote for this bill is a vote against the workingman's take-home pay to feed and clothe his family and I think this thing should be stressed.

Senator ROCKS. Mr. President, I had a final observation myself on this legislation. I am steeped in respect for the gentleman from Lancaster, Senator Wenger, and I think that is commonly known in this Body. I really believe there may be a point in time when, if you accept what had to be the initial concept—I was not here twenty-six years ago when the \$25,000 cap was discussed—in understanding something about this issue, that probably considered then was some in-house maintenance that was going to be done that was the daily routine kind of a thing and that the exception was made, but I doubt twenty-six years ago there was much controversy over that. I will tell you why. Because, as the gentleman from Fayette, Senator Lincoln, has well pointed out, this is all rooted in a prevailing wage concept called Davis-Bacon and that came in the Depression. And much of the standard of living that we have today—think of the people you know who are plumbers, electricians, sheet metal workers, steam fitters, carpenters, floor layers, carpet layers, all of those who have a standard of living—came from that prevailing wage concept. The difficulty in 1987 is that Davis-Bacon itself, the prevailing wage concept, is under attack, so that the gentleman from Delaware, Senator Bell, with his wisdom, really does point out to us that there is somewhat of a finger-in-the-dike mentality here, and I will admit to being a part of that. I will admit to being a part of it so much that I think the difference that the gentleman from Lancaster, Senator Wenger, and myself will have that should be discussed. If you listened to this debate—and it is an interesting one—my distinguished col-

league and friend uses the expression "the artificial prevailing wage." If you believe in the prevailing wage concept, there is no artificial prevailing wage. That is what you believe in, and you believe in that at a scale for that union employee, that skilled tradesperson who has given them and us a standard of living today that we are very proud of and, in fact, we not only fight for, but in a time when the whole concept of Davis-Bacon, going back to the absolute Depression that we knew in 1931 in this country, is to be protected. Based on that, I would hope that we do not move for this crack-in-the-dike legislation at this point in time. In another point in time maybe there will be an atmosphere when we can discuss, the same way that the original cap was discussed, that routine kind of maintenance that I am sure is part of what the Senator from Lancaster is trying to get addressed, but not at this point in time, because there is not a skilled tradesperson in this Commonwealth who does not understand that the prevailing wage that is their daily protector for the standard of living they have is very much under attack in this nation and we in Pennsylvania who have abided by it have an obligation to protect it and we do it by voting against this bill.

LEGISLATIVE LEAVE

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

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

And the question recurring,
Shall the bill pass finally?

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

YEAS—24

Armstrong	Helfrick	Lemmond	Shaffer
Brightbill	Hess	Loeper	Shumaker
Corman	Holl	Madigan	Stauffer
Fisher	Hopper	Moore	Tilghman
Greenleaf	Jubelirer	Peterson	Wenger
Greenwood	Kelley	Salvatore	Wilt

NAYS—25

Afflerbach	Lewis	Pecora	Ross
Andrezski	Lincoln	Regoli	Stapleton
Bell	Lynch	Reibman	Stewart
Bodack	Mellow	Rhoades	Stout
Fumo	Musto	Rocks	Williams
Hankins	O'Pake	Romanelli	Zemprelli
Jones			

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

RECONSIDERATION OF SB 159

BILL OVER IN ORDER ON FINAL PASSAGE

SB 159 (Pr. No. 164) — Senator WENGER. Mr. President, I move the Senate do now reconsider the vote by which Senate Bill No. 159, Printer's No. 164, just failed of final passage.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

Senator WENGER. Mr. President, I request that Senate Bill No. 159 go over in its order and appear on the Final Passage Calendar.

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

BILLS OVER IN ORDER

HB 196 and SB 200 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 204 (Pr. No. 212) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for illuminated signs in passenger cars.

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

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 210 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 306 (Pr. No. 1024) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), entitled "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for prohibited acts with respect to certain

possessions of controlled substances by certain persons, for forfeitures, for property subject to forfeiture and for the procedure with respect to seized property.

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

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 324 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 403 (Pr. No. 979) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1976 (P. L. 919, No. 170), entitled "An act providing for the approval or disapproval of applications for a permit relating to the construction or maintenance of improvements to real estate," further providing for driveway permits.

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

Afflerbach	Hess	Mellow	Salvatore
Andrezski	Holl	Moore	Shaffer
Armstrong	Hopper	Musto	Shumaker
Bell	Jones	O'Pake	Stapleton
Bodack	Jubelirer	Pecora	Stauffer
Brightbill	Kelley	Peterson	Stewart
Corman	Lemmond	Regoli	Stout
Fisher	Lewis	Reibman	Tilghman

Fumo	Lincoln	Rhoades	Wenger
Greenleaf	Loeper	Rocks	Williams
Greenwood	Lynch	Romanelli	Wilt
Hankins	Madigan	Ross	Zemprelli
Helfrick			

NAYS—0

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

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

SB 404 (Pr. No. 436) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as amended, "Pennsylvania Municipalities Planning Code," further providing for driveway permits.

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

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 474 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL LAID ON THE TABLE

SB 642 (Pr. No. 1058) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for background checks of prospective employees.

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

BILLS OVER IN ORDER

SB 678 and 710 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 756 (Pr. No. 1023) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing a negligence standard for veterinarians participating in low-cost rabies clinics.

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

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

NAYS—0

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

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

SECOND CONSIDERATION CALENDAR

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

SB 30 and 166 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILLS OVER IN ORDER

SB 7 and 139 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

SB 187 (Pr. No. 193) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, redefining "children" and "lineal descendants"; and further providing for applications for refund of inheritance and estate taxes.

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

BILLS OVER IN ORDER

SB 193 and HB 245 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

SB 321 (Pr. No. 921) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for inspection of highway crossing safety devices by railroads or carriers.

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

BILL REREFERRED

SB 415 (Pr. No. 452) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for alcohol and drug detoxification, treatment and care medical assistance payments by the Department of Public Welfare.

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

BILLS OVER IN ORDER

HB 429, SB 519 and HB 532 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL LAID ON THE TABLE

SB 540 (Pr. No. 600) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), entitled "Home Rule Charter and Optional Plans Law," authorizing certain municipalities to extend pension credit for prior military service for its employees.

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

BILLS OVER IN ORDER

SB 617, 663, 725, 738, 786, 792 and HB 1075 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

SB 235 TAKEN FROM THE TABLE

Senator STAUFFER. Mr. President, I move that Senate Bill No. 235, Printer's No. 244, be taken from the table and placed on the Calendar.

The motion was agreed to.

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

MEETING OF COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator STAUFFER. Mr. President, there is need for a meeting of the Committee on Rules and Executive Nominations. I wonder if we could call an immediate very brief meeting of the Committee on Rules and Executive Nominations and have you continue with the remaining items on the agenda.

The PRESIDENT pro tempore. Without objection, Senator Stauffer has asked that all Members of the Committee on Rules and Executive Nominations report to the Rules Committee room at the rear of the Senate Chamber forthwith. We will continue to finish the agenda for the day.

UNFINISHED BUSINESS REPORT FROM COMMITTEE

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

SB 409 (Pr. No. 1062) (Amended)

An Act amending the act of April 2, 1980 (P. L. 63, No. 26), entitled "Divorce Code," further providing for grounds for divorce, procedure, jurisdiction, marital property, relief and alimony; providing for agreements between parties; making editorial changes; and making a repeal.

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 Mr. and Mrs. Edward R. Henry, Mr. and Mrs. William Schreck, Mr. and Mrs. Clayton L. Goodling, Sr. and to Mr. and Mrs. Richard G. Greninger by Senator Corman.

Congratulations of the Senate were extended to Father Thomas F. Carey and to Samuel Congie by Senator Fisher.

Congratulations of the Senate were extended to Frank Libbi by Senator Fumo.

Congratulations of the Senate were extended to Frank Burkard by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. John Messersmith by Senator Hess.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur E. Schellhase, Jr. by Senator Hopper.

Congratulations of the Senate were extended to the Women of Color Caucus of the Pennsylvania Coalition against Domestic Violence by Senator Jones.

Congratulations of the Senate were extended to Father Lawrence J. Conneen, Brother Robert Conneen and to Philadelphia Post 92 of the 29th Division Association by Senator Loeper.

Congratulations of the Senate were extended to William A. Daniels by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. Albert W. Chambers by Senators Shumaker and Jones.

Congratulations of the Senate were extended to Reverend Donald F. Geschwindt by Senator Wenger.

SENATE RESOLUTION

DESIGNATING JULY 19, 1987, AS "ICE CREAM DAY" AND JULY 1987 AS "ICE CREAM MONTH" IN PENNSYLVANIA

Senators WENGER, HELFRICK, HOPPER, STAPLETON, MADIGAN, MOORE, PETERSON, ROSS, WILT, KELLEY, JONES, ROCKS, SHAFFER, RHOADES, CORMAN, SHUMAKER, ARMSTRONG, LEMMOND, PECORA, SALVATORE, HESS, JUBELIRER, AFFLERBACH and BRIGHTBILL offered the following resolution (Senate Resolution No. 77), which was read, considered and adopted:

In the Senate, June 2, 1987.

A RESOLUTION

Designating July 19, 1987, as "Ice Cream Day" and July 1987 as "Ice Cream Month" in Pennsylvania.

WHEREAS, Pennsylvania ranks first in the Nation in the per capita consumption of ice cream and second in its manufacturing; and

WHEREAS, The production of 88.4 million gallons of ice cream within the Commonwealth last year had a positive impact upon the Commonwealth's outstanding dairy industry; and

WHEREAS, The production of ice cream is a major component of the Commonwealth's number one industry, agriculture; and ice cream, therefore, contributes significantly to Pennsylvania's economy; and

WHEREAS, Millions of Commonwealth residents enjoy the many delicious varieties of ice cream flavors and products and their healthful, nutritional value; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania designate July 19, 1987, as "Ice Cream Day" and July 1987 as "Ice Cream Month" in Pennsylvania and recognize the important contributions of the ice cream industry to the Commonwealth's economy and the quality of life of its residents.

BILLS ON FIRST CONSIDERATION

Senator LEMMOND. Mr. President, I move the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

SB 275, 409, 428, 699, 700, 701, 703, 805 and HB 369.

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

PETITIONS AND REMONSTRANCES

Senator FISHER. Mr. President, just a few moments ago the Senate unanimously adopted Senate Bill No. 306. At the time of the passage of this bill I wanted to make a couple of

comments on final passage, but, instead, I will make them at this time.

A few years ago I introduced a bill in the last Session, which is now Act 200, which made comprehensive revisions in Pennsylvania's Controlled Substance, Drug, Device and Cosmetic Act to crack down on drug dealers by seizing their assets and increasing prison sentences for career drug pushers.

The power of the Attorney General and district attorneys was dramatically expanded under that act. Since the law went into effect almost \$1.5 million and dozens of vehicles have been confiscated from drug dealers. The money and property taken away from the drug dealers goes to law enforcement agencies to finance the campaign against drugs.

Senate Bill No. 306, which was introduced by the gentleman from Delaware, Senator Bell, and myself, amends the Controlled Substance, Drug, Device and Cosmetic Act to further provide for forfeitures while streamlining the procedures used. In the Senate Committee on Judiciary, I offered a number of amendments to that bill to further strengthen the forfeiture provisions.

These provisions contained in the bill would add a standard of "reasonableness," making it clear that lack of knowledge on the part of an owner must be reasonable under the circumstances.

Second, the bill would discourage purchasers of drugs, because it would make the property of those who possess an illegal substance now subject to seizure.

Third, the section on forfeiture of real estate is expanded to allow an entire property to be seized, not just the portion of it used to facilitate a drug transaction.

Firearms and other prohibited offensive weapons are also made subject to forfeiture and are immediately destroyed.

Fifth, a number of changes in the notice provisions of the law are made for determining when a person cannot be located. Under current law, the Commonwealth would be required to wait as long as seven years to act on such property in accordance with the escheat laws. A mechanism is provided in Senate Bill No. 306 to speed up this process with appropriate safeguards to ensure that steps are taken to locate the owner. This language parallels existing language in the Pennsylvania Liquor Code.

Next, the required notice of forfeiture proceedings is dropped in the case where an individual fails to appear in court for the underlying criminal charge. This change both deters failures to appear and provides for quicker disposition of property for those who fail to appear.

Last, to protect the availability of seized property, especially things with high liquidity such as bank accounts, a temporary restraining order may be issued without notice or hearing. This language which is added is based almost entirely on the freezing provisions of the federal forfeiture law that have worked so successfully.

On May 26th, the gentleman from Montgomery, Senator Greenleaf, also offered an amendment to this bill on the floor of the Senate, which I cosponsored with him, that would provide for annual audits of the county drug forfeiture

money, by the county, for submission to the Attorney General. Current law calls for no audits. All audits are to be submitted to the Attorney General by September 30th of each year.

Proceeds from forfeited property are to be in addition to monies that are appropriated to the Office of the Attorney General. Monies available for local law enforcement are likewise to be in addition to other monies appropriated to local district attorneys.

Passage of this legislation has sent another very important signal to the drug dealers in Pennsylvania that we in Pennsylvania mean business, and it will strike a further decisive blow to the ongoing war against drugs.

Mr. President, thank you for the opportunity to make these few comments. I want to thank the Members of the Senate for their support in the unanimous passage of this important legislation.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF DENTISTRY

June 2, 1987.

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 Eli Stavisky, D.D.S., 700 Glenburn Road, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Dentistry, to serve for six years or until his successor has been duly appointed and qualified, but not longer than six months beyond that period.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF SELINGROVE CENTER

June 2, 1987.

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 L. Compton, Jr., Box 216, Richfield 17086, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Selingsrove Center, to serve until the third Tuesday of January, 1993, and until his successor is appointed and qualified, vice Clair Lauver, McAlisterville, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES
OF SELINGROVE CENTER

June 2, 1987.

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 Douglas M. Garrison, P. O. Box 130, Beaver Springs 17812, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selingsrove Center, to serve until the third Tuesday of January, 1993, and until his successor is appointed and qualified, vice Stanley Saylor, Beaver Springs, whose term expired.

ROBERT P. CASEY.

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

June 2, 1987.

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 Alice C. Chambers, 10 North Darlington Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice John Unruh, Morton, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 Perry M. Bruaw (Democrat), 632 Rosehill Drive, Altoona 16601, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1989, and until his successor is appointed and qualified, vice Charles R. Harker, Newry, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 Michelle Angela Hartye (Democrat), Box 33-C, Sylvan Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1987, and until her successor is appointed and qualified, vice Edward W. Dysart, Tyrone, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 K. Healy, D.D.S. (Democrat), 400 Alta Vista Drive, Altoona 16601, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1989, and until his successor is appointed and qualified, vice Edward T. Giller, Hollidaysburg, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 Bonaventure Midili (Democrat), 806 Eleventh Street, Altoona 16602, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1988, and until his successor is appointed and qualified, vice Lucy Mae Johnson, Altoona, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BUCKS COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 R. Tillman (Democrat), 1302 Gibson Road L-141, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as a member of the Bucks County Board of Assistance, to serve until December 31, 1989, and until his successor is appointed and qualified, vice Mary Johnson, Levittown, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE SUSQUEHANNA COUNTY
BOARD OF ASSISTANCE

June 2, 1987.

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 Kim Marie Spoonhower (Democrat), 303 Broad Avenue, Susquehanna 18847, Susquehanna County, Twentieth Senatorial District, for appointment as a member of the Susquehanna County Board of Assistance, to serve until December 31, 1989, and until her successor is appointed and qualified, to add to complement.

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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 N. Sanquilly, Box 227, Blooming Grove, Hawley 18428, Pike County, Twentieth Senatorial District, for appointment as District Justice in and for the County of Pike, Magisterial District 60-3-02, to serve until the first Monday of January, 1988, vice Dore N. James, resigned.

ROBERT P. CASEY.

RECALL COMMUNICATIONS REFERRED TO COMMITTEE

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

DISTRICT JUSTICE

June 2, 1987.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 8, 1987 for the appointment of Raymond S. Kinneman, 219 Radcliffe Street, Pittsburgh 15204, Allegheny County, Forty-second Senatorial District, as District Justice in and for the County of Allegheny, Magisterial District 5-3-13, to serve until the first Monday of January, 1988, vice Regis C. Nairn, resigned.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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 March 19, 1987 for the appointment of Dean K. Wetzler, Jr., 320 Main Street, Mill Hall 17751, Clinton County, Thirty-fourth Senatorial District, as District Justice in and for the County of Clinton, Magisterial District 25-3-02, to serve until the first Monday of January, 1988, vice C. David Gilmore, deceased.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 16, 1987 for the appointment of James E. Bach, R. D. 3, P. O. Box 67, Shickshinny 18655, Luzerne County, Twentieth Senatorial District, as District Justice in and for the County of Luzerne, Magisterial District 11-3-01, to serve until the first Monday of January, 1988, vice Robert Marshall, resigned.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 8, 1987 for the appointment of Edward B. Golla, Esquire, 9 West Pennsylvania Avenue, Stewartstown 17363, York County, Twenty-eighth Senatorial District, as District Justice in and for the County of York, Magisterial District 19-3-03, to serve until the first Monday of January, 1988, vice Virginia Klinefelter, deceased.

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

ROBERT P. CASEY.

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:

DISTRICT JUSTICE

June 2, 1987.

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

Please note the nomination dated April 8, 1987 for the appointment of Ronald J. Horner, R. D. 1, Box 249, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, as District Justice in and for the County of Centre, Magisterial District 49-3-04, to serve until the first Monday of January, 1988, vice Keith Bierly, resigned, should be corrected to read:

Ronald J. Horner, R. D. 1, Box 249, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, as District Justice in and for the County of Centre, Magisterial District 49-3-04, to serve until the first Monday of January, 1990, vice Keith Bierly, resigned.

ROBERT P. CASEY.

BILL SIGNED

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

HB 35.

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 SHIPPENSBURG UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION

May 11, 1987.

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 James G. Reddig, 308 Reading Road, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1993, and until his successor is appointed and qualified.

ROBERT P. CASEY.

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

May 11, 1987.

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 C. Graydon Schlichter, 600 East Orange Street, Shippensburg 17257, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1993, and until his successor is appointed and qualified, vice Frank E. Masland, III, Carlisle, whose term expired.

ROBERT P. CASEY.

DISTRICT JUSTICE

April 8, 1987.

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 Ronald J. Horner, R. D. 1, Box 249, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as District Justice in and for the County of Centre, Magisterial District 49-3-04, to serve until the first Monday of January, 1990, vice Keith Bierly, resigned.

ROBERT P. CASEY.

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.

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:

DISTRICT JUSTICE

June 2, 1987.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 8, 1987 for the appointment of Raymond S. Kinneman, 219 Radcliffe Street, Pittsburgh 15204, Allegheny County, Forty-second Senatorial District, as District Justice in and for the County of Allegheny, Magisterial District 5-3-13, to serve until the first Monday of January, 1988, vice Regis C. Nairn, resigned.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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 March 19, 1987 for the appointment of Dean K. Wetzler, Jr., 320 Main Street, Mill Hall 17751, Clinton County, Thirty-fourth Senatorial District, as District Justice in and for the County of Clinton, Magisterial District 25-3-02, to serve until the first Monday of January, 1988, vice C. David Gilmore, deceased.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

June 2, 1987.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 16, 1987 for the appointment of James E. Bach, R. D. 3, P. O. Box 67, Shickshinny 18655, Luzerne County, Twentieth Senatorial District, as District Justice in and for the County of Luzerne, Magisterial District 11-3-01, to serve until the first Monday of January, 1988, vice Robert Marshall, resigned.

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

ROBERT P. CASEY.

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.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 3, 1987

- 9:30 A.M. AGRICULTURE AND RURAL Room 459,
AFFAIRS (to consider 4th Floor
Senate Resolution No. 65; Conference Rm.,
Senate Bill No. 854; House North Wing
Bills No. 365 and 814)
- 10:00 A.M. FINANCE (to consider Room 461,
Senate Bills No. 281, 525, 4th Floor
574 and 852) Conference Rm.,
North Wing
- off the floor RULES AND EXECUTIVE Rules Committee
NOMINATIONS (to consider Conference Room
certain Executive Nominations)

MONDAY, JUNE 8, 1987

- 9:00 A.M. LAW AND JUSTICE Senate Majority
(to consider House Bill Caucus Room
No. 1000)
- 11:00 A.M. ENVIRONMENTAL Room 461,
RESOURCES AND ENERGY 4th Floor
(Public Hearing on Senate Conference Rm.,
Bill No. 528) North Wing

TUESDAY, JUNE 9, 1987

- 10:00 A.M. JUDICIARY (Public Hearing Senate Majority
on Senate Bills No. 324, Caucus Room
401 and Mandatory Drug
Sentencing)

WEDNESDAY, JUNE 10, 1987

- 10:00 A.M. LABOR AND INDUSTRY Room 461,
(to consider Senate Bill No. 4th Floor
730 and any other matter Conference Rm.,
which may come before the North Wing
Committee)
- 1:30 P.M. CONSUMER PROTECTION Senate Majority
AND PROFESSIONAL Caucus Room
LICENSURE (Public Hearing
on PEMA Sunset Review)

ADJOURNMENT

Senator STAUFFER. Mr. President, I move the Senate do now adjourn until Wednesday, June 3, 1987, at 10:30 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 7:03 p.m., Eastern Daylight Saving Time.