

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 3, 1988

SESSION OF 1988 172ND OF THE GENERAL ASSEMBLY

No. 9

### SENATE

WEDNESDAY, February 3, 1988.

The Senate met at 11:40 a.m., Eastern Standard Time.

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

### PRAYER

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

Dear Lord, for what we are, we are thankful. For what we can do with our talents, our time and our energies, we are grateful. Accept what we have done this week and what remains to be done. Help us and shape us with Your love and concern. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of February 2, 1988.

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

### APPOINTMENTS BY PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Upon the recommendation of the Minority Leader, Senator John W. Regoli to fill the vacant position on the Senate Committee on Labor and Industry.

As members of the Committee on Intergovernmental Affairs: Senator M. Joseph Rocks, Jr., Chairman; Senator John D. Hopper, Vice Chairman.

### REPORTS FROM COMMITTEES

Senator HOLL, from the Committee on Banking and Insurance, reported the following bill:

**SB 1257 (Pr. No. 1762)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Catastrophic Loss Trust Fund; and making a repeal.

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

**SB 1210 (Pr. No. 1684)**

An Act providing for loans as an incentive to foreign exports; conferring powers and duties on the Department of Commerce; establishing a fund; providing penalties; and making an appropriation.

**SB 1211 (Pr. No. 1685)**

An Act providing grants to Pennsylvania businesses participating in international trade fairs; and making an appropriation.

**SB 1212 (Pr. No. 1686)**

An Act establishing the Pennsylvania International Trade Council and conferring powers and duties upon it.

**SB 1213 (Pr. No. 1687)**

An Act providing for the development of shared foreign sales corporations; providing tax exemptions for these corporations; and conferring powers and duties on the Department of Commerce and the Department of Revenue.

**SB 1214 (Pr. No. 1688)**

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," further defining "small business enterprise"; and further providing for loan eligibility, terms, conditions, applications and administration.

**SB 1215 (Pr. No. 1689)**

An Act providing matching grants to public or private regional entities to promote exports; and making an appropriation.

### DISAPPROVAL OF REGULATION

Senator SHAFFER, from the Committee on Community and Economic Development, submitted resolution to reject IRRC Regulation #4-25.

### LEAVES OF ABSENCE

Senator ZEMPRELLI asked and obtained leaves of absence for Senator HANKINS, Senator LYNCH and Senator STOUT, for today's Session, for personal reasons.

### LEGISLATIVE LEAVES

Senator ZEMPRELLI. Mr. President, I would request the following leaves of absence: on behalf of Senator Lincoln and

Senator Reibman, a legislative leave of absence and on behalf of Senator Stewart, a temporary Capitol leave.

The PRESIDENT. Senator Zemprelli requests legislative leaves for Senator Lincoln and Senator Reibman and a temporary Capitol leave for Senator Stewart. Is there any objection to the leave requests? The Chair hears none. The leaves will be granted.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS TO SENATE AMENDMENTS

#### BILL OVER IN ORDER

**HB 446** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

**SB 409** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

### SENATE CONCURS IN HOUSE AMENDMENTS

**SB 948 (Pr. No. 1732)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for low-level radioactive waste disposal; further providing for powers and duties of the Department of Environmental Resources and the Environmental Quality Board; providing for siting of low-level radioactive waste disposal facilities and for the licensing of operators thereof; establishing certain funds and accounts for the benefit of host municipalities and the general public; establishing the Low-Level Waste Advisory Committee and providing for its powers and duties; providing for membership on the Appalachian States Low-Level Radioactive Waste Commission; requiring certain financial assurances; providing enforcement procedures; providing penalties; making repeals; and making appropriations.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 948.

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

### MOTION TO SUSPEND RULES

Senator RHOADES. Mr. President, I rise to express a concern over sections of the siting facilities. My particular concern is I would want to see at least spelled out that no site would be located over a mined or previously mined area, and thus would be interested in amending the bill. I move that we suspend the Rules so I can amend Senate Bill No. 948.

The PRESIDENT. Senator Rhoades moves that we suspend Rule XV (b) for the purpose of amending House amendments.

The Chair would recognize the gentleman from Allegheny, Senator Fisher, with the admonition that the motion is severely limited with regard to debate possibilities. It is not debatable.

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

Senator FISHER. Mr. President, the gentleman from Schuylkill, Senator Rhoades, has proposed that the Rules of the Senate be suspended in order to enable him to offer an amendment that would prohibit certain burial of low-level radioactive waste, which I do not believe is necessary.

### POINT OF ORDER

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

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

Senator ZEMPRELLI. Mr. President, it is difficult to hear the gentleman in light of all the confusion that is on the floor. I think we are addressing one of the most important social problems of our day. I would like to be able to hear the gentleman in his remarks.

The PRESIDENT. The gentleman's point is well taken. The Senate will come to order.

The Chair would remind the gentleman that the motion to suspend the Rules is not a debatable motion.

Senator FISHER. Mr. President, I will try to limit my remarks appropriately. The purpose for which the gentleman from Schuylkill, Senator Rhoades, indicated the suspension was requested is really not necessary. Shallow land burial is prohibited in the bill as it has come over from the House.

### POINT OF ORDER

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

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

Senator KELLEY. Mr. President, I appreciate the gentleman trying to circumvent the strictness of the Rules, but the gentleman's remarks are addressed to the essence of what the amendment is as described by the maker of the amendment. I think we have to suspend the Rules before that would be in order.

The PRESIDENT. The gentleman's point is well taken. The Chair is forced to rule the gentleman's remarks are out of order. His remarks can be limited only to urging a "yes" or a "no" vote on the motion to suspend the Rules.

Senator FISHER. Mr. President, I was only trying to respond to those things that already had been discussed by the proposer of the motion, but there are obvious reasons, I believe, why the Rules should not be suspended. This bill, as it has come over from the House, contains the low-level radioactive waste siting legislation. It is essential that the Senate act on this legislation as soon as possible, hopefully today. I would urge a negative vote on the motion made by the gentleman from Schuylkill, Senator Rhoades, to suspend the Rules.

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

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

#### YEAS—17

Andrezski	Hopper	Peterson	Shaffer
Brightbill	Kelley	Regoli	Shumaker
Greenleaf	O'Pake	Rhoades	Stapleton
Helfrick	Pecora	Salvatore	Wilt
Hess			

#### NAYS—30

Afflerbach	Holl	Mellow	Scanlon
Armstrong	Jones	Moore	Stauffer
Bell	Jubelirer	Musto	Stewart
Bodack	Lemmond	Reibman	Tilghman
Corman	Lewis	Rocks	Wenger
Fisher	Lincoln	Romanelli	Williams
Fumo	Loeper	Ross	Zemprelli
Greenwood	Madigan		

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

And the question recurring,

Will the Senate agree to the motion to concur in the amendments made by the House?

Senator FISHER. Mr. President, I would rise to join the gentleman from Delaware, Senator Loeper, in urging concurrence on Senate Bill No. 948. The passage of Senate Bill No. 948, the accomplishment—

#### POINT OF ORDER

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

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

Senator KELLEY. Mr. President, the house is out of order. I cannot hear the speaker.

The PRESIDENT. Senator Kelley's point is well taken. The Senate will come to order. There has been a request for order in the Chamber, so that we can proceed with an orderly debate on the concurrence.

#### LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate agree to the motion?

Senator FISHER. Mr. President, the passage of Senate Bill No. 948 would enable the Commonwealth to achieve an important second step under the federal mandates that require us, Pennsylvania and every other state, to be responsible for the disposal of their low-level radioactive waste. In December 1985 this Commonwealth adopted through the passage of legislation the Appalachian States Low-Level Radioactive Waste Compact. In that compact, Pennsylvania was designated as

the host state for the four-state region. Senate Bill No. 948 contains the legislation which has been essentially referred to as the siting legislation, legislation that the federal government has mandated should be in place by January 1st of this year. The legislation has been in the drafting stage for over a year and a half. The legislation has been reviewed by both this Administration and the past Administration. It has been reviewed by a citizen's advisory committee that has included the various groups who are interested and who will be affected in the siting of a low-level radioactive waste facility. This legislation will place a heavy burden on the Department of Environmental Resources, on the Environmental Quality Board and on the public at large in trying to decide where in Pennsylvania that low-level radioactive waste facility is. I believe it is legislation that provides the necessary outline for that process. It is a process that will entail substantial regulatory changes, regulatory changes which will determine how siting will take place, how the facility will be designed and how the operator licensee will be selected.

Earlier, the gentleman from Schuylkill, Senator Rhoades, attempted to offer an amendment which would have tried to strengthen the places where such a site could not be located. The siting regulations which are soon to be proposed if this legislation is passed will, by the way, cover the various things Senator Rhoades tried to prohibit. I believe this bill is a sensible step for the Commonwealth. It is a sensible one which will provide for an orderly process. Most importantly, it will provide for an orderly process which will have the broadest possible public participation assured all throughout that process. It is not going to be easy to ultimately select that site, but I am optimistic, through the passage of Senate Bill No. 948, that the site can be selected with a minimum impact and with maximum financial advantages to the community that is eventually selected. I believe the legislation contains numerous good points. There are some provisions in there that if we had the full opportunity to perhaps change them, we may want to change them, but, in fact, the legislation is satisfactory in my viewpoint, and it is one that we should concur in.

There is one provision I would like to make some specific comment on, and it is a provision that is contained in Section 306. It deals with the selection of the operator-licensee designate. Section 306, subsection (3) provides that if all the applicants to become the operator licensee are not satisfactory or unacceptable, the Secretary can recommend that the Commonwealth proceed forward to designate an agency of this Commonwealth or an authority to actually run the low-level radioactive waste facility. I would hope that would become the very, very last alternative in this scheme and that the Secretary and the Department and the EQB would do everything possible to find an appropriate operator-licensee in the private sector. I do not think we should be in this business, and I would hope this loophole would not be one that was a broad loophole, but would be one that would only be used as a very last resort.

I would urge the Members of the Senate to concur in the House amendments to Senate Bill No. 948 and enable Penn-

sylvania to attain the federal compliance that is required under the federal Low-level Radioactive Waste Policy Act of 1985.

Senator REGOLI. Mr. President, I rise with mixed feelings on this bill. I understand the reality of this legislation as being the vehicle to provide for the low-level radioactive waste disposal law, and I understand fully the urgency and the need for this legislation as mandated by the federal government. It has merit and it has the Administration's blessing for enactment.

However, I rise to oppose Senate Bill No. 948 today for a very real and dynamic reason, that of the Babcock and Wilcox special exemption language contained in the bill. I must vote "no" on the basis of recent actions that have occurred on this issue, particularly that which has transpired on the special exemption that will allow Babcock and Wilcox to be exempt from the Environmental Quality Board siting regulations. This exemption, as I understand it, comes with the notion that it is a timesaver to "B&W" due to its having acquired the license for a compactor facility from the United States Nuclear Regulatory Review Commission.

While numerous actions have taken place on the House side, and while I have not been privy to these sensitive negotiations, the only action available to me at this time is to vote "no." While I know this low-level radioactive waste disposal legislation will pass this Senate overwhelmingly today, I must say at least a few words on behalf of the constituency that is fighting so hard for the greatest protections of health and safety for their families, relatives and friends in this area of the Commonwealth.

While this seemingly innocuous language cited on page 50, lines 4 to 11, grandfathers in Babcock and Wilcox for a special exemption from the Environmental Quality Board's siting regulations, no one really knows what those siting regulations may require when they are developed and finally adopted.

The EQB may or may not find new geological information between now and the time of these new regulations. Years may pass before the EQB finally finalizes those regulations.

Yes, emotions and feelings run high on such a volatile issue. But why not? We are talking about actual lives, young and not so young. That is the point.

It has been noted that "B&W" has \$5 million invested in what is this Commonwealth's only high volume commercial low-level radioactive waste compactor. But, given that accreditation, it should not need additional special exemptions written into the law. It should and it must compete on even ground for what is a very sensitive and much needed service.

Yes, DER has publicly stated that "B&W" must still go through the permitting process for air quality and solid waste standards set forth in the law, regardless of this special exemption now contained in this bill.

Mr. President, I would be remiss if I did not at least stand here today and attempt to note some of those concerns that have been aired by so many of my constituents who live in my district which borders this very sensitive compactor site. They deserve to be heard and recognized, and I have every hope this can and will be accomplished in the final analysis.

Senator KELLEY. Mr. President, I tend to, without inflicting any personal intentions by the gentleman from Allegheny, want to say that the words he gave in a recitation has insulted this Body. I am discouraged and dismayed with what happened in the Special Session, and the gentleman from Delaware and the gentleman from Lackawanna, joined in by many of our colleagues, talked about the committee system, yet, in the recitation the gentleman from Allegheny gave us on this bill, this Senate, this institution, did not function one bit. Universally everybody agrees this bill is of sufficient magnitude into the high priority, as we all know the very fact that when we are dealing with something of nuclear and radiation, it brings up the fear and apprehension of each and every citizen in this Commonwealth. I find a lot of things wrong with this bill. Not too many, but things that are pretty important to me, one of which is that we give the right of condemnation to an independent contractor, which is totally in differentiation from the law of eminent domain of this Commonwealth. I think the point the gentleman from Allegheny, Senator Fisher, made is one that should be debated and made a matter of policy by the Legislative Branch in conjunction, not by one alone, as to whether or not the government, the sovereign, the departments or agencies or commissions or authority would actually be the owner-operator as such, as being responsible and accountable to the citizens of this Commonwealth. You can have a contractual relationship of a technical operator to get the technology that is necessary. Just because we want to make certain benchmarks, we are going to concur in what the House did, and as what the gentleman said the Administration and the previous Administration worked on in executive style. Yes, even the citizens group had meetings and hearings, but we in the Senate did not. Are we renegeing on our responsibilities by saying "yes" to this concurrence? I say we are, Mr. President. I say the very essence of the debate should be who is going to take care. We have a wonderful concept, do we not? Here we are disposing of nuclear waste and we are saying we really do not want the Commonwealth to do it, but yet we justify the Commonwealth being in the sale of spirits and wine. It does not make any sense. Where is our priority of assignment of accountability? Our whole waste disposal problem is being set today without any debate, without any chance of a committee system recommendation, as the gentleman from Delaware well pointed out in the previous Session, but we are going to concur because the train is on the fast track.

The points made by the gentleman from Allegheny on Babcock and Wilcox should be debated as to what we are going to do in relationship to exemptions. We should not concur without our participation because someone else made that decision. Here we go again, Mr. President. We were insulted by this process, we are insulted by this process and the people of Pennsylvania are insulted by this process, and I will have no part of it.

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—42

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

## NAYS—5

Helfrick	Regoli	Rhoades	Stapleton
Kelley			

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

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

### GUESTS OF SENATOR STEWART J. GREENLEAF PRESENTED TO SENATE

Senator GREENLEAF. Mr. President, I would like to take this opportunity to indicate that we have some visitors from my Senatorial district here today. They are Becky Clark and Tom McGill who are students at Upper Moreland High School. They are also members of the Cinekyd Production Organization in Upper Moreland that puts on high school programs for video tape programs for cable shows and other type shows. Also with them is the manager of Cinekyd, Mr. Scott Wolfson. I would hope the Senate would welcome them here today.

The PRESIDENT. Would the guests of Senator Greenleaf please rise so we can give you our warm welcome.

(Applause.)

### CONSIDERATION OF CALENDAR RESUMED

#### FINAL PASSAGE CALENDAR

#### PREFERRED APPROPRIATION BILL OVER IN ORDER

**HB 1988** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### THIRD CONSIDERATION CALENDAR

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

**HB 1100 (Pr. No. 2779)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 32 (Forests, Waters and State Parks) of the Pennsylvania Consolidated Statutes, adding provisions relating to water supply and sewage treatment systems; providing for the establishment, implementation and administration of the Pennsylvania Infrastructure Investment Authority; providing for

the powers and duties of the board of directors of the authority, including the utilization of Federal funds; authorizing the incurring of indebtedness, with approval of the electors, of \$450,000,000 for the acquisition, repair, construction, reconstruction, rehabilitation, extension, expansion and improvement of water supply and sewage treatment systems; providing for the allocation of the bond proceeds; authorizing the authority to issue its own bonds and notes; transferring the rights, powers, duties and obligations of the Water Facilities Loan Board to the authority; making an appropriation; and making repeals.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW. Mr. President, I move that House Bill No. 1100 revert to prior Printer's No. 1859.

The PRESIDENT. Senator Mellow moves that the Senate do revert to Printer's No. 1859 on House Bill No. 1100.

On the question,

Will the Senate agree to the motion?

Senator LOEPER. Mr. President, I would simply request a copy of the bill so we can take a look at that prior printer's number.

The PRESIDENT. The Chair would direct the Secretary to provide copies of that particular printer's number of the bill so all Members of the Senate may review it.

#### LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, I request temporary Capitol leave for Senator Fumo.

The PRESIDENT. Senator Zemprelli requests temporary Capitol leave for Senator Fumo. The Chair hears no objection. The leave will be granted.

And the question recurring,

Will the Senate agree to the motion?

Senator LOEPER. Mr. President, I rise simply to oppose the motion of the gentleman from Lackawanna to revert to a prior printer's number.

Senator MELLOW. Mr. President, House Bill No. 1100, better known as PENNVEST, has been around here for quite some time in active discussion by Members of the Senate and, in fact, in some proposals, various types of proposals in legislation that have been introduced over the past several years, has been in committee for several years and has received various types of discussions. Mr. President, the amendment that was offered yesterday by the gentleman from Fayette, Senator Lincoln, with the support of the gentleman from Luzerne, Senator Musto, who is the Minority Chairman of the Committee on Environmental Resources and Energy, we basically thought went a long way in trying to correct any problems that we could foresee as being established in House Bill No. 1100. Unfortunately, the Majority in this Body did not see fit yesterday to concur on that particular amendment and, therefore, Mr. President, we are back today to try, once again, to have this Body consider in an amendment form, by reverting back to a previous printer's number, a proposal we

think is a better proposal, a proposal we feel has been better thought out and a proposal we think will work immediately to meet the needs of our people. Mr. President, House Bill No. 1100, Printer's No. 1859, that passed the House of Representatives with only one dissenting vote, passed by a vote of 198-1 back in June of 1987, or some eight months ago. Had that particular proposal been implemented in the fall of 1987, the projects we have talked about over the last several days, in dealing with House Bill No. 1100 under the various printer's numbers, would have, in fact, today been in place to try to protect and try to improve the very critical need in Pennsylvania in establishing the health, safety and welfare and, furthermore, by going ahead and decreasing for our people the problems that have dealt with the giardiasis throughout our Commonwealth.

Mr. President, we think it would be extremely important—that is, we on this side of the aisle and in private discussions with a number of Members on the other side of the aisle—that any further delay in enactment of PENNVEST, whether it be House Bill No. 1100, Printer's No. 1859, or any other bill number, is a delay that is going to have a tremendous impact on the people of Pennsylvania. When we look at the bill the way it passed the House of Representatives, there are projects that exceed \$1 billion that do not have political labels. They are not Democratic projects, they are not Republican projects, they are not geographical projects, whether they deal with the southeast or northeast, the southwest or the central part of the state. They, basically, Mr. President, are people projects, and these people have a need for the passage of this proposal.

House Bill No. 1100, reverting to Printer's No. 1859, would give us the opportunity to immediately, today, put on the Governor's desk a proposal we have known as PENNVEST for the past year, one that in some form or another has been around for the better part of the last two years, so that we could implement those projects that our people so badly need if we, in fact, are sincere and we are going to go ahead and we are going to do whatever we can on a bipartisan basis to try to improve the caliber of living in Pennsylvania and to make jobs more available for our people.

House Bill No. 1100 in its current form talks about a referendum. It goes ahead and it deals with projects in a capital budget in basically an adverse way, things that will delay the enactment of these particular projects.

The way I have asked the reversion, Mr. President, we can go ahead immediately, not worry about a referendum. Perhaps a referendum might be necessary sometime in the future, but we can go ahead right now and we can implement through a capital budget program that has, in fact, already been passed, through a Water Loan Facility Board program that was passed some seven years ago and a great percentage of that money has, in fact, never been given out, never been loaned out to help the people who so badly need it. We can go ahead, Mr. President, and we can take the federal money that has been designated for Pennsylvania for water and sewage programs without going to the people, without further bur-

dening our people with the referendum or with some additional tax expenditures. We can implement the program immediately because this bill can pass here today in amended form as it came from the House of Representatives, and it can be placed on the Governor's desk for an immediate signature. I am sure that would happen before this week's end. It would give us the opportunity, Mr. President, of putting into place the tremendous amount of rhetoric that has been expressed on this floor.

We have heard a lot about House Bill No. 1988, the Sunny Day Fund and what that means to our people and, in fact, it means a great deal. To me personally it means a project of \$7.5 million that eventually will mean to the northeastern part of the state an additional 700 jobs for a high tech industry known as Grumman, that just opened up its stores in my area within the past year, and, hopefully, we will have a great marriage where they will be there for many, many years to come. We can talk about that same type of project in my area and we can look at the Sunny Day Fund and we can multiply that by six other areas that represent probably thirty or thirty-five legislative districts in total and at least a half a dozen Senatorial districts in addition to the one I represent. When you add that project, Mr. President, and you put on top of that the PENNVEST proposal we have in House Bill No. 1100, Printer's No. 1859, what that tells the people of Pennsylvania and what that tells the business community of Pennsylvania is that, yes, we here in the Senate and we here in the General Assembly and, indeed, the Administration recognize their needs, we recognize their problems. We know we have a tremendous amount of work to do with regenerating an infrastructure that has been badly neglected over the years. We know we have, basically, an immediate jobs program because these projects will employ Pennsylvanians who will use Pennsylvania steel and they will have the Pennsylvania worker take care of these positions.

Mr. President, everything is positive for us to go ahead today and implement this program; a positive program that has been accepted by the people, a Sunny Day Fund that is in position to pass. If we really want to do meaningful things in this Senate today, we will revert to House Bill No. 1100, Printer's No. 1859, and we will pass that proposal. We will reconsider the vote by which House Bill No. 1988 went over and we will pass that Sunny Day proposal. Both of those programs can be on the Governor's desk for his signature this week, and we can go ahead and we can give the people of Pennsylvania a positive message that not only are we going to be here and deliver a lot of rhetoric, but we mean what we say and we are going to be in position to deliver, and that day of delivery comes today. I would ask, Mr. President, for an affirmative vote on reverting to House Bill 1100, Printer's No. 1859, for the people of Pennsylvania.

Senator FISHER. Mr. President, I am not sure if the Governor was here in the Capitol today and able to express his opinion on the versions of these bills, that he would even be asking for us to send him House Bill No. 1100, Printer's No. 1859. There is one very clear reason why, certainly, that

would not be the preferred version. It is the last line of the bill. It says, "This act shall take effect in ninety days."

If the gentleman from Lackawanna, Senator Mellow, is interested in getting a bill to the Governor's desk this week that will do the job, House Bill No. 1100, Printer's No. 2779, is available. It could be concurred in, it could be passed by the Senate and concurred in by the House, and it could get there just as quickly. But there is more of a difference in the bills than just the effective date. Certainly, if the bill before us, Printer's No. 2779, were passed, we would have a program on the water loans that could go into effect in thirty days, not ninety days. We would have a referendum that could be on the ballot in the Primary in April and could be implemented almost immediately thereafter. We would have an authority that would contain not only the Governor as a voting member but five of his Cabinet designees and certainly other members of that board who would be supportive of the intentions of this Administration.

There are other substantial differences between the bills, substantial differences which have even been accepted as flaws in the bills by people in the front office. First of all, Printer's No. 1859 will not provide as much money as Printer's No. 2779. By less than \$100 million the bill is deficient. Secondly, there is a question of whether or not Printer's No. 1859 complies with the federal Water Quality Act of 1987. Thirdly, perhaps most important, the principal funds that will be used, or proposed to be used, in Printer's No. 1859 will require capital budget approval, each and every one of them. We all know how long and tedious the capital budget approval process is. I submit to the Members of this Senate it is not the right way to go. Printer's No. 1859 would encumber every single project with capital budget approval. How will the funds be determined? Printer's No. 1859 is intrinsically tied in to the EPA point system, not to the issues of health, safety and economic development needs, which are contained in the printer's number currently before you. The cost is substantially different. The bill that passed the House would be substantially more costly to the General Fund over the next six years.

Mr. President, I believe there are no valid reasons to return to the printer's number that passed the House. The printer's number that is presently before the Senate has been a compromise version of this legislation. No, not 100 percent of it is agreed to by all parties, but we have come a long way. I believe reversion to Printer's No. 1859 would not be a step forward, it would not be a step that is going to get early implementation of the PENNVEST program but, indeed, would be a step backwards. Mr. President, I urge that the motion to revert be rejected. I urge that we move forward with Printer's No. 2779.

Senator MELLOW. Mr. President, I congratulate the gentleman from Allegheny for doing an excellent job in leading the loyal opposition. I think he has done an excellent job, along with the gentleman from Luzerne, Senator Musto, in trying to bring to the forefront a very difficult issue, but I think, Mr. President, I have to take exception to some of the

things the gentleman has stated, however meritorious those statements may have been.

First of all, Mr. President, the gentleman talks about the capital budget projects. The capital budget projects that the gentleman is talking about, I believe, are encompassed in House Bill No. 2035, which is in the House of Representatives and has not even passed that Body yet. Therefore, once it does clear that Body, it must come over here and pass this Chamber prior to the signature of the Governor. The gentleman talked about a ninety-day waiting time before House Bill No. 1100, Printer's No. 1859, could be implemented. Mr. President, there are two ways that can be resolved. There are two areas of discussion on that.

First of all, I would join him immediately in introducing an additional amendment to make the bill take effect immediately. I would ask the Majority Leader at that point in time to have the bill reprinted and have it placed on a Supplemental Calendar and we could pass it today. The House of Representatives is in Session. I am sure they would concur on it immediately and put it on the Governor's desk when he returns from Switzerland sometime later on today.

Or, Mr. President, we could let it state it would take place within ninety days, because if all holds true with the passage of the bill the way it is currently before us and we deal with a referendum of \$450 million, Election Day—if I am correct, although I do not have a calendar before me with the election date—is April 26th, and my very basic education which I have in arithmetic would tell me that is eighty-three days from today. So, Mr. President, the ninety-day question that was brought up is a moot point. It, in fact, is not a bone of contention here today.

Mr. President, the Governor in a statement put out yesterday, dictated and approved from Switzerland, did in his last paragraph strongly suggest that we go ahead and immediately pass the proposal that passed the House of Representatives back in June 1987 by a vote of 198-1. I suggest to the Members of the Senate that had we taken this initiative back last fall, the ninety days that would have been in question for the implementation of this bill would long have passed.

I stand before the Members today telling them this, Mr. President: If we do not revert to this particular printer's number, the ninety days or the eighty-three days between now and the Primary Election will have passed and there is a good chance that absolutely nothing will have been done with the enactment of PENNVEST, because of the political deeds that have taken place in this Body and the political turmoil that has developed over the last several months. If we mean well—and I believe the fifty of us here do mean well—then the thing we will do immediately is not try and hide behind a referendum that is going to make \$450 million available if, in fact, approved by the voter on April 26th, not to talk about a capital budget which—I would stand to be corrected if I am wrong—has, in fact, not even passed the House of Representatives yet, and not to talk about the fact that the bill will not take effect for ninety days when we have an opportunity to do it right now. We have the opportunity to meet the needs of

our people today, to tell the people who are not in this room, but the people we represent, that we know what their problems are, we know what the health, safety and welfare of our people is all about, and we know that the major issue in this state is jobs, jobs, jobs. This bill and House Bill No. 1988, the Sunny Day Fund, however you want to slice it, means the protection of the health, safety and welfare for our people and for providing jobs for those people who are out there who so badly deserve them.

Basically, what is our job here as elected public officials all about? More than to meet the needs of our people, not based on any political label, whether they be a Democrat or a Republican, or not based on the fact that there are twenty-seven Republicans in the Senate and twenty-three Democrats and that the Minority will have its say, but the Majority will have its way. That is not the way to run issues as important to our people as PENNVEST and the Sunny Day Fund. Once again, Mr. President, I would urge a positive vote on the reversion of House Bill No. 1100 to Printer's No. 1859.

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

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

Senator FISHER. I will, Mr. President.

Senator RHOADES. Mr. President, the question I have is, with House Bill No. 1100, Printer's No. 1859, what is the cost of this program to the Commonwealth of Pennsylvania?

Senator FISHER. Mr. President, is the gentleman speaking about the cost to the General Fund?

Senator RHOADES. Mr. President, I would say what I am concerned about is the total cost that is going to have to be repaid by the citizens of the Commonwealth when all projects are in place and the obligations are in place.

Senator FISHER. Mr. President, obviously, the cost, if you include the capital cost, would be the amount of the bonds. We are talking somewhere in excess of \$1 billion on the bonds plus others that could be sold under revenue bonds that would be permitted under the version of Printer's No. 2779. Perhaps more importantly, as for the General Fund cost, it is estimated that under Printer's No. 1859 the General Fund cost for the first six years, if Printer's No. 1859 or the House version were adopted, would be approximately \$260 million. The General Fund cost for the first six years under Printer's No. 2779, which is the version presently before the Senate, if that is adopted, would be \$86 million. Over the life of the project, over the twenty-five years of the project, it is estimated that the House version would cost approximately \$1,050,000,000 and the Senate version would cost approximately \$430 million, so there is a substantial difference in net cost to the program under the Senate version and the House version. It is substantially more expensive and will have a much greater burden on the General Fund.

Senator AFFLERBACH. Mr. President, during his earlier remarks the gentleman from Allegheny, Senator Fisher, mentioned the bill before us in its present form without reversion, as the gentleman from Lackawanna, Senator Mellow, sug-

gests, is a compromise. I would ask, a compromise of whom? A compromise with the 198 House Members who sent to us the version that Senator Mellow suggests? A compromise with the twenty-three Members of this side of the aisle? A compromise with the Governor's Office? Hardly. I ask again: a compromise with whom? Mr. President, this version is not a compromise. It is simply one more attempt by a very slim majority party in this Senate to have exactly their own way and only their own way, irrespective of 198 Members of the House of Representatives, irrespective of twenty-three Members of this side of the aisle and irrespective of the Governor's Office. We have seen the Majority, through its control of the committees, labor diligently, labor momentarily and bring forth a piece of legislation that certainly is not a mountainous piece of legislation. It may not even be a molehill of legislation. It may not even be a mouse of legislation. In fact, what it is, is an emaciated, shrouded design which may be a mountain or it may be a mouse.

As I look at this legislation in its present form, I feel as though I am on the Republican used car lot, and a vehicle that came to that car lot as a full power vehicle has been redesigned, has had parts removed, has been restructured and now is a stripped version. They will not even allow us to look under the hood and see what is there, because by taking out the capital budget process of determining which projects will be funded, we are asked to buy some specter of a design and hope that it may work. Mr. President, I urge support for the version of the gentleman from Lackawanna, Senator Mellow, to revert to a full powered vehicle.

Senator LEWIS. Mr. President, I think it important to clear the record with respect to the interrogation by the gentleman from Schuylkill of the Senator from Allegheny. In response to questions about cost, the gentleman from Allegheny, Senator Fisher, recited numbers which, in the mathematics quickly done in my head, led him to suggest that there was an additional cost in the first six years of the House version of roughly \$130 million, and again, to paraphrase his words and his numbers, an additional cost to the House version over the twenty-five year life of nearly \$640 million. Mr. President, I think the important fact for all of us to understand is that there is no additional cost in the House version but that, in fact, under the version as has been amended here in the Senate, what there is, is a substantial reduction in programs. The cost is going to be the same for the repayment of the bonds and the interest in both versions of this bill. The difference is the Senate version now before us will take, over the life of the program, nearly \$640 million, which the Governor has recommended be used for further programs, and the Senate version would suggest that money, rather than going for programs, go for repayment of the principal on the bonds and the interest charges. I think that is a very significant factor. Yesterday, in the Committee on Appropriations, we heard the Republicans try to label the difference between the two bills as being a reduction in costs. It is no such thing. It is a slashing of programs that are desperately needed throughout Pennsylvania, and I think it is important



to establish that on the record as clearly as we possibly can. I would urge that we vote in the affirmative on the motion of the gentleman from Lackawanna, Senator Mellow, to revert so we can, in fact, provide those nearly \$640 million in expanded programs as initially recommended by the Governor.

Senator MELLOW. Mr. President, I realize this is the third time to speak, but I would like to add one additional comment, and that is the fact that House Bill No. 1100, under its current printer's number, would have the grants that would go to municipalities paid for out of General Fund money. It is on page 56 of the bill. That particular money, Mr. President, is not available today and, in fact, would have to pass in some form of an appropriation bill, whether it be a supplemental bill or whether it would have to pass in a General Appropriation bill to take effect July 1st. The proposal as stated by the gentleman from Bucks, Senator Lewis, in the bill as passed by the House of Representatives, would have that same grant money going back to those people who are in need, based on a revolving fund, and it would not be General Fund tax dollars, basically, that would be going back. I think it is important since the gentleman from Schuylkill, Senator Rhoades, brought that up that we make that clarification.

#### LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, I would request temporary Capitol leaves for Senator Jones, Senator Bodack and Senator Regoli who have been called to their offices.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Jones, Senator Bodack and Senator Regoli. The Chair hears no objection. The leaves will be granted.

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

Senator FISHER. Mr. President, just briefly, in reply to a couple of things that the gentleman from Lehigh, Senator Afflerbach, had said. Not only is this car a guzzler, but it is one that has been recalled for substantial defects in the manufacturing process, that vehicle that was sent over from the House. When he says who is this bill that is before the Senate a compromise with, I think that substantially misstates the record, not necessarily the record of full debate before this Senate, but the record of what has transpired since October when this bill was reported from committee until today. Even using the words of the gentleman from Fayette, Senator Lincoln, yesterday, on his amendment, at best there are still only two major areas of disagreement between that amendment that was offered yesterday and Printer's No. 2779. That deals with the limited capital budget areas that were requested in that amendment, which we believe are still inappropriate and we oppose and are not included in Printer's No. 2779 on the issue of how much of the money should continue to revolve or be paid back. There are many areas in this bill in Printer's No. 2779 that we have negotiated on in good faith with the Members of this Administration, which the Members of this Senate on the opposite side of the aisle have been aware

of those negotiations. They are agreements which we admit improve the bill, will make it more workable and will eventually get money to the people across this Commonwealth who need it to get their projects completed. It is a compromise version. I indicated it is not a 100 percent compromise, but it is a version which I believe we should move forward on, we should ask the House to concur in immediately, and we can get this version over to the Governor. I thank you, Mr. President, and, once again, would urge a negative vote on the motion to revert.

Senator PETERSON. Mr. President, would the gentleman from Lackawanna, Senator Mellow, please stand for a brief interrogation?

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

Senator MELLOW. I will, Mr. President.

Senator PETERSON. Mr. President, what kind of help would be available to our communities with the original draft here that came from the House?

Senator MELLOW. Mr. President, I think it is obvious the help that would be available to our communities are those projects right now that are already approved in a capital budget that would immediately come into this proposal, those projects that are under discussion right now with the Water Facilities Loan Board—whatever the official name of that particular group is—and also the money that would be made available through the Administration because of federal dollars that come into Pennsylvania based on water and sewage programs. By the best of our estimates, we are talking about monies that would be made available somewhere in the vicinity of \$1 billion immediately.

Senator PETERSON. Mr. President, the gentleman mentioned the capital budget that has already been circulated. I have three communities within my district that are ready to go to bid. Their design work is done. They are under very strict orders from DER to have something in place this summer and yet they are not on that list that is coming from the House?

Senator MELLOW. Mr. President, is the gentleman referring to sewage projects?

Senator PETERSON. Yes, Mr. President, sewer projects.

Senator MELLOW. I think, Mr. President, if the needs were known to the front office, which I am sure they are, that the money that would come into the state from the federal program, that funding would be made available to those particular projects that are in need. I do not believe there would be any question with that.

Senator PETERSON. Mr. President, but they would have to be included in a capital budget?

Senator MELLOW. Mr. President, they would have to be included in some form of a capital budget, that is correct.

Senator PETERSON. Mr. President, under the gentleman's bill?

Senator MELLOW. Mr. President, under this bill, also. In fact, the bill we are dealing with right now does not even have a capital budget. At least House Bill No. 1100, in the printer's number that passed the House of Representatives, there is a

capital budget that is already passed, implemented and ready to go.

Senator PETERSON. Mr. President, what kind of specific help would be available? The community I live in is one of those communities. What can I tell them tomorrow if we pass your version? What can I tell them will be available to them?

Senator MELLOW. Mr. President, you can tell them if they would like to contact my office or the office of the gentleman from Luzerne, Senator Musto, who is the Minority Chairman of the Committee on Environmental Resources and Energy, we will only be too happy to facilitate and expedite the problem they have, if they have one, through the Administration to make sure the proper funding is available. If you do not want to tell them that, Senator, I would only be too happy to tell them that if you give me the names of those particular municipalities.

Senator PETERSON. Mr. President, I think the gentleman is missing the point. I intend to deal with my own communities. What help can I promise them tomorrow if we pass this bill today? What can I tell them is available?

Senator MELLOW. If we pass this bill today, Mr. President, the gentleman can tell his municipalities that we now have a program in place that can be implemented immediately or at least within a ninety-day period of time since the bill would take place in ninety days, although we could amend it to take place immediately and they could expect some type of relief this summer because of the implementation of the bill as it passed the House of Representatives. If we do nothing or if we pass PENNVEST with the referendum—and I am not opposed to the referendum because I think the more projects that we fund the better we are—if we go ahead and if we pass the bill as it currently exists before us, there is absolutely nothing you could offer those municipalities for help to take place this summer.

Senator PETERSON. Mr. President, do I tell them they are going to get a grant, do I tell them they are going to get a loan, what do I tell them?

Senator MELLOW. Mr. President, you can tell them they can very possibly qualify for a grant and a loan, both.

Senator PETERSON. Mr. President, what kind of loans will be available to them? Will they be loans similar to the Water Board that have been available in the past?

Senator MELLOW. Mr. President, the bill does deal with the proper procedure for handling loans, and if the municipalities would qualify, there would be money made available to them not only through the loan program, but also through a grant program. It is specifically spelled out. In fact, as I have said, if there is a problem, I am sure if the need is as great—and I do not question it is—as you say it is, the problem will be and can be worked out. The only reason why it will not be is because we do not have a bill in place to give us the necessary tools in which to do that.

Senator PETERSON. Mr. President, as this community tries to decide on how they are going to finance this system, do I tell them there is a low interest loan available, do I tell them there is just a loan available or some potential grant?

Where in the bill does it tell me what is available, what kind of loans are available, what kind of grants are available?

Senator MELLOW. Mr. President, I think the gentleman can tell them that, first of all, the authority, in its discretion, will establish whether they will qualify for a loan or not, but, if I am not mistaken, in the bill it establishes that the maximum rate of interest they can be charged is somewhere in the vicinity of 3 percent, which is a tremendous deal, regardless of what municipality we are dealing with. I believe in earnest if we pass the bill the way we are asking, to revert to the prior printer's number, there is a tremendous amount the gentleman from Forest, Senator Peterson, could offer to his constituents in addition to working on the \$450 million referendum that, in fact, I am sure is needed for future projects.

Senator PETERSON. Mr. President, in the priority listing for communities, are the EPA guidelines a part of that priority system?

Senator MELLOW. Mr. President, staff has indicated to me that for the water projects they are.

Senator PETERSON. Mr. President, not for sewer?

Senator MELLOW. Mr. President, we do not have the federal funds for the sewer, so we cannot answer that question.

Senator PETERSON. Mr. President, in the priority system are we using EPA guidelines?

Senator MELLOW. That is correct, Mr. President.

Senator PETERSON. I thank the gentleman, Mr. President. I would like to make a few comments.

Mr. President, as I said before, I do not think there is anyone who is more interested and supportive of this issue. It has been an issue with me for many years and I have worked on it for a long time, and I think I am as equally interested to get something in place as anyone who serves in this Senate. The prior printer's number we are being asked to go to does not tell our communities what is going to be available. It does not say what kind of loans. It does not say what kind of interest rates. It does not say what kind of grants or who is going to qualify. Historically, rural areas like I serve, and many of us serve, have not been a part of the EPA priority process. We seldom win grants in rural parts of Pennsylvania, and so much of Pennsylvania is rural. The resources that have been allocated for sewage and water in the past have not been fairly distributed across this state. This state and the federal government have historically had programs that went to larger urban areas, and the rural parts of Pennsylvania have been left out. I cannot support a program that does not spell out what my communities are going to have a chance to apply for and receive. I am not going to buy a pig in a poke again, because we have not historically won in the past. We have not historically had our fair share. In rural Pennsylvania we struggle sometimes to have the expertise we need to get state and federal grants on an equal basis with more sophisticated urban areas. The bill we are being asked to go to is a pig in a poke. It does not tell our communities what they can apply for. There are no guarantees that rural Pennsylvania will get its fair share of this program.

I urge my colleagues who represent rural parts of this state to not support something that does not tell you what is going to be available for you, what kind of interest rates you are going to pay. We are being asked to put it all on the shoulders of an independent authority, and we are giving up all our rights to make sure that when we develop this program, the major program for infrastructure in Pennsylvania, we are being asked to believe we will get our fair share. History tells me we have not. For that reason and many more I could give, I urge my colleagues to vote against the proposal before us.

#### LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, Senator Scanlon and Senator Afflerbach have been called to their offices and I would request temporary Capitol leaves.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Scanlon and Senator Afflerbach. The Chair hears no objection. The leaves will be granted.

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

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

#### YEAS—20

Afflerbach	Kelley	O'Pake	Scanlon
Andrezeski	Lewis	Regoli	Stapleton
Bodack	Lincoln	Reibman	Stewart
Fumo	Mellow	Romanelli	Williams
Jones	Musto	Ross	Zemprelli

#### NAYS—27

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

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

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

#### SPECIAL ORDER OF BUSINESS

#### RUSSIAN DELEGATION SPONSORED BY FRIENDSHIP FORCE PRESENTED TO SENATE

The PRESIDENT. At this point, with the cooperation of and without objection from the Senate, the Chair is very pleased to recognize the gentleman from Lancaster, Senator Armstrong, for a very special introduction.

Senator ARMSTRONG. Mr. President, I rise for the purpose of introducing a resolution, but prior to introducing that, I have some special guests here. This is the thirtieth anniversary of the exchange program between the United States and the Soviet Union. These exchanges were set up years ago. They have come a great distance, literally and figuratively,

because they are now staying in our homes, this exchange, and this is the first time this has ever happened. Representative Joseph Pitts led a group of eleven people from Pennsylvania to Moldavia, a republic, and stayed in the homes and met with our counterparts in the Soviet Union. These guests are some of the members of the Soviet Supreme, some of them are ministers in the cabinet. They are coming over here to see our way of life. For many of them it is their first trip to the United States. At this time I would like to introduce this resolution for consideration.

The PRESIDENT. Without objection, we will return to the order of business of original resolutions.

#### SENATE RESOLUTION

#### ENCOURAGING EXCHANGE VISITS AND COOPERATIVE VENTURES BETWEEN CITIZENS OF THIS COMMONWEALTH AND CITIZENS OF THE SOVIET UNION AND OTHER COUNTRIES

Senator ARMSTRONG, on behalf of himself and Senators SHUMAKER, PECORA, HOPPER, SALVATORE, HELFRICK, MELLOW and LOEPER offered the following resolution (*Senate Resolution No. 155*), which was read, considered and adopted:

In the Senate, February 3, 1988.

#### A RESOLUTION

Encouraging exchange visits and cooperative ventures between citizens of this Commonwealth and citizens of the Soviet Union and other countries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

WHEREAS, The fourth in a series of citizen exchanges, sponsored by the Friendship Force in the United States and the Soviet Friendship Societies in the Soviet Union, is now underway; and

WHEREAS, These exchanges of citizens from all walks of life foster friendship and mutual respect, and help to break down the stereotypes which prevent better understanding and communication between the people of our two nations and hinder the quest for world peace and harmony; therefore be it

RESOLVED, That the Senate encourage and support further exchanges between our citizens and citizens of other countries, including school and college teachers and students, government officials, judges, police, firefighters and other citizens, and between cultural, social, religious and athletic organizations, as well as communication and cooperative ventures such as the worldwide weather watch now participated in by students of this Commonwealth and students of many countries around the world.

Senator ARMSTRONG. Mr. President, Ludmilia Skalinaja would like to say just a few brief words and give a presentation to the Governor at this point.

The PRESIDENT. The Chair is very pleased to welcome our guests to the United States and to the Commonwealth of Pennsylvania and would invite her to make some remarks to the Senators.

Senator ARMSTRONG. Mr. President, I must say she has a sense of humor. She was caught in our debate and I apologized for that. I guess we have that in common. We are both

long-winded politicians. However, she said she is only going to speak for one hour.

Ms. LUDMILIA SKALINAJA. (Through interpreter, Dmytro Nalywayko.) Mr. President, Members of the Senate, dear guests, American guests and Soviet guests: We came from far away, but with great happiness we came to this country to meet our counterparts, members of the Friendship Force here in America and with our guests.

Just a short time ago we were welcoming eleven members from Pennsylvania in our Republic of Moldavia, and we, of course, were very happy to meet all of them and we are reciprocating the visit.

They lived in our private homes, they met our private citizens and we understand they were quite happy and we, of course, were happy to meet them there.

Yesterday, when the Americans were meeting us at the railroad station, I hoped that each and every one of you were present to see the happiness and beautiful welcome for us. It makes us very happy to see that you gentlemen and ladies are supporting your American organization, Friendship Force, and I want to tell you from our side that our Moldavian Parliament is also doing the same thing on their side.

When the American delegation arrived in Moldavia, they brought with them greetings from your Governor. Permit us to bring the greetings from our Chairman of the Presidium of the Moldavian Republic to the Governor of Pennsylvania.

“Dear Mr. Governor:

“In the course of development of the process of mutual understanding and the breaking of stereotypes that had begun in Geneva and successfully continued by the visit of General Secretary of the CPSU Central Committee Mikhail Gorbachev to the United States of America our two nations have been inspired with genuine hopes for an improvement of the Soviet-American relations.

“The Moldavian public together with all the Soviet people are convinced that friendship, trust and open dialogue between Soviet and American people will not only accelerate this process, but make it irreversible. The initiative of the exchanges between the Union Republics of the USSR and the states of the United States of America gives a real chance to achieve this goal. The richest opportunities offered by the success of the first meeting of the two nations’ representatives on the Moldavian land.

“On behalf of all the working people of Soviet Moldavia I bid success to the continuation of Soviet-American public contacts which will serve the cause of peace all over the world.

“President  
of the Presidium  
of the Supreme Soviet  
of the Moldavian Soviet  
Socialist Republic

“ALEXANDR MOKANU”

(Applause.)

Ms. SKALINAJA. I want to give this to the President of the Senate. Our Senators are carrying similar signs. This is the flag of our National Republic, and I want to give it to the President of the Senate.

I want once again to thank you, and I do see the friendship working, and I hope and pray to continue because the personal contacts between two great nations and peoples will eventually lead to world peace. Thank you.

(Applause.)

The PRESIDENT. May I say, if I can detain you for just another second, on behalf of the Governor of the Commonwealth and the citizens of Pennsylvania and all of the Members of the Pennsylvania State Senate, I am delighted to present to you this little token of our appreciation for your joining us today. The cause of international peace and brotherhood is always a just one, and we thank you for the role you have played today in furthering that cause. Thank you.

(Applause.)

The PRESIDENT. The Chair thanks the gentleman from Lancaster and all of his distinguished guests.

### THIRD CONSIDERATION CALENDAR RESUMED

The PRESIDENT. The Senate has before it House Bill No. 1100, Printer’s No. 2779.

And the question recurring,

Will the Senate agree to the bill on third consideration?

### LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, Senator Salvatore has been called to his office and I would request temporary Capitol leave on his behalf.

The PRESIDENT. Senator Loeper requests temporary Capitol leave for Senator Salvatore. The Chair hears no objection. The leave will be granted.

Senator MELLOW. Mr. President, I also request leave for Senator Ross who was just called to his office.

The PRESIDENT. Senator Mellow requests temporary Capitol leave for Senator Ross. 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?

Senator MELLOW. Mr. President, it is with a great deal of reluctance that I stand before this Body and make the type of remarks I am compelled to make with regard to the enactment of House Bill No. 1100. I say that, Mr. President, because I had the opportunity for a ten-year period of time of serving as the Majority Chairman of the Committee on Environmental Resources and Energy. I come from an area in the Commonwealth of Pennsylvania that has been besieged over the last five years with very serious water bacteria problems, especially that known as giardiasis. I also have a heavy heart in dealing with this proposal, because many parts of the proposal we are confronted with today are the same things that I was able, along with a number of colleagues of mine, to introduce into the Senate of Pennsylvania two years ago.

Mr. President, I am compelled by feeling and not by political motivation to express my total opposition to House Bill No. 1100, Printer’s No. 2779, that has been presented before

us for final passage. In the remarks that were given by the gentleman from Allegheny, Senator Fisher, he stated that there were no more than two areas of disagreement between the feelings we have on this side of the aisle with regard to this proposal and the feelings on the other side of the aisle with regard to this proposal. I think, Mr. President, that is a great distortion of fact, because if you look at the bill in theory and in concept, we have no opposition and there are no areas of disagreement in theory and in concept. If you look at the bill in actuality as to what we have to vote on and what is before us, we have major disagreements as to what we should be dealing with.

First, let us deal with the interest rates that appear in both proposals. First of all, Mr. President, the interest rates that will appear in the proposal that is being passed today, or at least is being considered today, basically could penalize a municipality, a poor municipality, in a very wealthy community. The proposal that appeared before us in the version as passed by the House would have the authority establish what the interest rate would be based on criteria they could establish for that particular project.

Mr. President, on the capital budget aspect, the gentleman from Forest, Senator Peterson, so ably stated, "This bill does not give me anything immediate for the people that I represent." He was referring to the bill the way it passed the House of Representatives. In fact, Mr. President, that is not true. The truth of the matter is, House Bill No. 1100, Printer's No. 2779, which is before us, gives absolutely nothing to the people he represents in any type of an immediate action. The documented needs of the Commonwealth of Pennsylvania, as documented by the Department of Environmental Resources and by the Governor's Office, for water and sewage facilities is \$5.8 billion for the people of Pennsylvania. This proposal falls far short of that. In fact, only through a referendum if, in fact, that referendum is passed, would it make available \$450 million. The proposal that passed the House of Representatives would go a long way in making that entire \$5.8 billion available.

Mr. President, the effective date of the proposal that was talked about, this particular proposal that came from the House, would have to wait ninety days before implementation. The proposal we are dealing with would have to wait eighty-three days before a referendum would be placed before the voter and thirty days after that, or 113 days, before we could even hope to have any type of an implementation of the program.

Mr. President, on the area of the bill that deals with grants, which was discussed before by the gentleman from Schuylkill, Senator Rhoades, and addressed totally in the bill that passed the House of Representatives, in the bill that passed the House of Representatives, grants to municipalities that are in need of those particular grants would be made available through a revolving fund. In the proposal we are going to be asked to consider today, the only grants that will be made available to those particular municipalities that are in need would be grants made based on an appropriation that may or

may not pass some future Session of this Pennsylvania General Assembly. In fact, nothing is in place.

When we talk about caps, there is a great difference of concern here on caps based on the bill that passed the House and the bill we are going to be asked to deal with today. The bill we are going to be asked to deal with today places a cap of a maximum of \$15 million based on a composite of municipalities in a project. The bill that passed the House of Representatives did, in fact, Mr. President, not place those types of restrictions, but what it did do was allow the latitude of discretion on the type of money that should be loaned.

Mr. President, there is no question in my mind—and I am sure that it will be characterized by my colleagues on the other side that my mind is made up of one based on political motivation—that House Bill No. 1100 in its current form before this Body today will give absolutely no immediate relief to anybody in Pennsylvania, never mind the people who are in such great need of it. Although the only thing we have before us, since we were defeated in our attempt to put meaningful legislation before this Body, is a dismal approach to try to pacify some political feelings of people at the expense of the human health and safety needs of our people. It gives us only one alternative, and that is to ask, at least the Members on this side of the aisle, not to support PENNVEST in its current form, although this is something that our Governor wants, it is something that every Member of this Democratic caucus wants, and it is something we have sponsored and that we have supported throughout the years. Unfortunately, Mr. President, dealing with the issue we have before us and the way the legislation has been written, it, in fact, does not do much to help our people. I must ask that we do not vote in support of this proposal.

Senator LOEPER. Mr. President, I will try and be brief in my remarks, but I think it is necessary that we clarify the record that what we have before us today is a proposal for all Pennsylvanians to improve our water and sewer facilities throughout this Commonwealth and a fiscally responsible approach to that problem. We have put forth with the amendments to PENNVEST an approach that is going to help and bring immediate relief to our municipalities and cities that need these types of projects. They will be evaluated on the basis of need, and the voter referendum and the authority that would be established will provide the monies that are needed in a timely fashion to try and address those issues. I believe what we see here with PENNVEST, House Bill No. 1100, is a fiscally responsible approach that is able to go to the House of Representatives for concurrence and quick action and go to the Governor's desk in order that these projects may be moved along in a quick fashion.

I would simply close by saying it was interesting when I listened to the gentleman from Lackawanna's remarks. He talked, when we were concerned about the reversion, about \$7.5 million in his district and several hundred jobs as far as the Sunny Day Fund was concerned. We have talked for the last two weeks about jobs in this Chamber. We have talked about 3,000 jobs that could be created throughout this Com-

monwealth in projects funded by the Sunny Day Fund, which, unfortunately, our colleagues on the other side of the aisle do not seem interested in at this point. Now we are talking about PENNVEST, multi-millions, hundreds of millions of dollars of water and sewer facility improvement to our communities, and we are hearing once again we cannot support this kind of proposal.

Mr. President, we are talking about jobs for Pennsylvania. We are talking about investment in our future. We are talking about investment in our communities. It just seems very difficult for me to understand that we have this type of proposal before us to benefit all of Pennsylvania, and I would urge everyone to vote in the affirmative for the PENNVEST program.

Senator ZEMPRELLI. Mr. President, I listened to the gentleman from Lackawanna, Senator Mellow, and I listened to the gentleman from Delaware, Senator Loeper, and I became even more amazed at the use of the English language and our tendency to latch upon catch words and catch phrases that are meaningless without an anatomy, and sometimes they acquire an anatomy somewhat dissimilar to that which they were originally intended. Such is the exact situation that is prevailing here.

We have the Governor who has come forward with a program which he has properly entitled "PENNVEST," suggesting the pride of authorship as to a proposal, the anatomy of which allowed him to believe that it was, in fact, PENNVEST, so that each and every part of that program became a very vital segment of the total whole that, once again, comes under the nomenclature of PENNVEST. When this bill was amended in such a radical form, it no longer became PENNVEST. For those who may be interested or those who may be listening and those who may, in fact, want to write about it, I would take great umbrage with the fact that when I vote against the proposal before me, it would be construed as a vote against PENNVEST because I do not believe it is, in fact, PENNVEST that we have before us. Then the secondary aspect of this is, of course, the general fallout of any program that portends to do some good. The argument is by those who would oppose, how can you possibly vote against a program that does some good? Well, that is like telling a fellow you are probably pretty well off if you have one leg, God being gracious enough to give us two legs. The point is PENNVEST embraces a proposal, the inner workings of which the very appropriations to various aspects of which make the whole. That is not what we have before us today. We, therefore, have taken a position, a stand, that if the Majority Leader suggests, how can you vote against so many jobs and so much in a bill that has been amended, of course, the counterargument is, Mr. President, if it is not difficult for us to vote against a program of that kind, how then could it be so impossible for you to accept the program that would even go farther than that which you suggested and would produce the kind of affirmative votes that would embrace all of what you are for and that which has been classified and properly identified as PENNVEST? Mr. President, that is what it is all about. It is

not either/or, it is a suggestion that we commend what your efforts are. They simply do not go as far as we want them to go, and at the same time we do not want to be postured as having voted against PENNVEST because we do not have PENNVEST before us.

Senator BELL. Mr. President, I am going to take a phrase from the gentleman from Allegheny, Senator Zemprelli, who is the best spokesman or orator in this Chamber. Somebody else has taken a position, has taken a stand, and that is the Pennsylvania AFL/CIO. The Pennsylvania AFL/CIO—and I just received a yellow sheet—favors House Bill No. 1100, Printer's No. 2779.

#### LEGISLATIVE LEAVE

Senator LOEPER. Mr. President, Senator Stauffer has been called from the floor to his office and I would request a temporary Capitol leave on his behalf.

The PRESIDENT. Senator Loeper requests temporary Capitol leave for Senator Stauffer. The Chair hears no objection. The 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—27

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

#### NAYS—20

Afflerbach	Kelley	O'Pake	Scanlon
Andrezeski	Lewis	Regoli	Stapleton
Bodack	Lincoln	Reibman	Stewart
Fumo	Mellow	Romanelli	Williams
Jones	Musto	Ross	Zemprelli

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

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

#### BILL OVER IN ORDER

**HB 429** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

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

#### SECOND CONSIDERATION CALENDAR

#### BILL OVER IN ORDER

**HB 179** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

## BILLS ON SECOND CONSIDERATION

**SB 381 (Pr. No. 411)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the erection of new counties from existing counties or cities.

Considered the second time and agreed to,

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

**SB 382 (Pr. No. 412)** — The Senate proceeded to consideration of the bill, entitled:

An Act protecting the employment status of certain employees of first class cities who reside in certain newly created counties.

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**HB 524, SB 535 and 657** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

## BILL ON SECOND CONSIDERATION

**SB 663 (Pr. No. 746)** — 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," establishing alternative education programs for the education of disruptive students.

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**HB 668, SB 672, 758, HB 783, 829, 830, 831, 832, 931, SB 1023, HB 1099, SB 1101 and 1156** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

## BILL ON SECOND CONSIDERATION

**SB 1182 (Pr. No. 1733)** — The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**SB 1219, 1248, 1252, HB 1271, 1342, 1347 and 1577** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

## EXECUTIVE NOMINATIONS

## EXECUTIVE SESSION

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

Which was agreed to.

## NOMINATIONS TAKEN FROM THE TABLE

Senator BRIGHTBILL. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES OF  
ASHLAND STATE GENERAL HOSPITAL

December 10, 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 S. Fetter, Pine Burr Inn, Route 61, Atlas 17851, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Ashland State General Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified, vice Arthur Bohard, Frackville, whose term expired.

ROBERT P. CASEY.

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

December 3, 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 Gertrude Denlinger, P. O. Box 7, Pocono Pines 18350, Monroe County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice Thomas A. Bubba, Easton, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES  
OF EMBREEVILLE CENTER

November 25, 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 Cecilia R. Chambers, 1209 Valley Drive, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Trustees of Embreeville Center, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice Denis E. Forrest, West Chester, resigned.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

December 22, 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 Sharon A. Seaman, R. D. 2, Box 270, Kempton 19529, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1989, and until her successor is appointed and qualified, vice William Walker, Allentown, resigned.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

December 22, 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 Charles R. Eshleman (Public Member), 54 West Sheridan Avenue, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD  
OF OPTOMETRY

January 8, 1988.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Martin Krauss, O.D., 6328 Caton Street, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Bernard Mallinger, O.D., Pittsburgh, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE

December 30, 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 M. Cookerly (Democrat), 624 Fourth Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Cumberland County Board of Assistance, to serve until December 31, 1990, and until his successor is appointed and qualified, vice Harold Diehl, Jr., Mechanicsburg, resigned.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON COUNTY  
BOARD OF ASSISTANCE

January 19, 1988.

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 J. Koval (Democrat), 573 Arch Street, Vestaburg 15368, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Washington County Board of Assistance, to serve until December 31, 1989, and until his successor is appointed and qualified, vice Ruth Hopson, Washington, whose term expired.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—47

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

NAYS—0

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

Ordered, That the Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator BRIGHTBILL. Mr. President, I call from the table certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

CORONER, BERKS COUNTY

January 6, 1988.

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 R. Fatora, 210 Mercer Street, Apartment 2, Reading 19601, Berks County, Eleventh Senatorial District, for appointment as Coroner in and for the County of Berks, to serve until the first Monday of January, 1990, vice Michael F. Feeney, resigned.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nomination?

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



## YEAS—47

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

## NAYS—0

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

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

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

The motion was agreed to.

## UNFINISHED BUSINESS

## PERMISSION TO ADDRESS SENATE

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

Senator RHOADES. Mr. President, I rise to present the following bills which deal with the repeal of the CAT Fund, an option for dealing with the CAT Fund or private sector, and also a Legislative Budget and Finance Committee review of the CAT Fund on behalf of myself and additional sponsors.

## BILLS IN PLACE

The PRESIDENT pro tempore. Senator Rhoades presents to the Chair several bills.

## 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 the members of the Brentwood Volunteer Fire Department by Senator Fisher.

Congratulations of the Senate were extended to Suzanne Brown, Sylvia Jenkins and to Jessie M. Gibson by Senator Hankins.

Congratulations of the Senate were extended to Sister Deborah K. Donnelly by Senator Holl.

Congratulations of the Senate were extended to Joseph Kersavage by Senator Mellow.

Congratulations of the Senate were extended to the First Presbyterian Church of Hazleton by Senator Musto.

Congratulations of the Senate were extended to Anthony J. Donadeo and to C. William Watts by Senator Pecora.

Congratulations of the Senate were extended to Maria Rybczuk by Senator Rhoades.

Congratulations of the Senate were extended to Martin J. Maddaloni by Senator Salvatore.

Congratulations of the Senate were extended to Mr. and Mrs. Earl Hershberger by Senator Stapleton.

Congratulations of the Senate were extended to John M. Hohenwarter by Senator Stout.

## BILLS ON FIRST CONSIDERATION

Senator HOPPER. 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 1210, 1211, 1212, 1213, 1214, 1215 and 1257.**

And said bills having been considered for the first time,

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

## PETITIONS AND REMONSTRANCES

Senator BELL. Mr. President, the Philadelphia area newspapers have carried a very disturbing headline that the president of Philadelphia Electric Company has resigned under stress, following a report from an industry organization dealing with nuclear electric generating plants which rated Philadelphia Electric's Peach Bottom plant with a very unsatisfactory rating. The newspapers also carried a story that, due to the lack of proper management of the Peach Bottom nuclear electric generating plant, Philadelphia Electric lost some \$50 to \$60 million. There is a basic principle in the military and it extends to government and it extends to corporations, that the commander can delegate authority but not responsibility. Equally disturbing is a report I read this morning that the gentleman who is resigning under this very nasty situation is going to be given a golden handshake. He is going to be given a bonus for resigning. I feel this whole situation is going to affect the consumers of Pennsylvania and the stockholders of Philadelphia Electric Company. I am a consumer and I have a couple hundred shares of stock so I am directly affected and so is everybody else in southeastern Pennsylvania, because Philadelphia Electric handles the electric utility services to one-third of the people of Pennsylvania. This is a monopoly and it is under governmental control. The PUC, according to my counsel, has the power to perform management performance audits. This is not any fiscal audit where one and one equals two, but a management performance audit can go into whether the activities of the management of Philadelphia Electric have been in the best interests of the people of Pennsylvania, the consumers and the stockholders. As of this date, I am putting a demand on Bill Shane, Chairman of the PUC, and the other members of the PUC to

perform a management performance audit of Philadelphia Electric, because anybody that can shrug off a loss of \$58 million, which, ultimately, is going to come out of somebody's hide, and in view of the fact that management can affect the future of that great corporation and the people of Pennsylvania have a direct interest, I intend to follow this up at a public hearing that is going to be held in the near future on this matter.

### ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Monday, February 8, 1988, immediately following adjournment of the First Special Session, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 1:40 p.m., Eastern Standard Time.