

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 2, 1989

SESSION OF 1989 173RD OF THE GENERAL ASSEMBLY

No. 29

SENATE

TUESDAY, May 2, 1989.

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

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

PRAYER

The Chaplain, the Reverend KAREN LAYMAN, Pastor of Grace United Methodist Church, Lemoyne, offered the following prayer:

Let us pray.

O God, Creator of all things and ultimate judge of all persons, keep us focused this day on what really counts in life. We must cope each day with so many competing loyalties. Help us to see through our muddied glasses to set clear priorities for our work and our world. Yet, never let us lose compassion and tolerance for those whose views are different from our own.

Give us energy for those matters which are of highest value: justice, human dignity, courage and self-respect. And bless all those who in this Body labor toward these ends for the good of all the people of this Commonwealth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 1, 1989.

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.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in resolution from the Senate, entitled:

Recess Adjournment.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

May 2, 1989

HB 159 — Committee on Agriculture and Rural Affairs.

HB 160 — Committee on Transportation.

HB 162 and 514 — Committee on State Government.

HB 506 — Committee on Community and Economic Development.

HOUSE RESOLUTIONS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolutions for concurrence, which were referred to the committees indicated:

May 2, 1989

House Concurrent Resolution No. 29 — Committee on Environmental Resources and Energy.

House Concurrent Resolution No. 81 — Committee on Rules and Executive Nominations.

BILLS INTRODUCED AND REFERRED

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

May 2, 1989

Senator ARMSTRONG presented to the Chair **SB 868**, entitled:

An Act amending the act of February 2, 1966 (1965 P. L. 1860, No. 586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts;....," further defining "recreational purpose" to include cave exploration.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 2, 1989.

Senators REIBMAN, FATTAH, WILLIAMS, MUSTO, O'PAKE, SCANLON, ROCKS, ROSS, SALVATORE, STAPLETON, JONES, PORTERFIELD, GREENWOOD, PECORA, DAWIDA, RHOADES, AFFLERBACH, CORMAN, HELFRICK, BELAN and STOUT presented to the Chair **SB 869**, entitled:

An Act making an appropriation to the Department of Public Welfare to provide shelter and counseling for victims of domestic violence.

Which was committed to the Committee on APPROPRIATIONS, May 2, 1989.

Senator LYNCH presented to the Chair **SB 870**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for confiscation of certain vehicles used in scattering rubbish in cities of the first class.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators LYNCH, BODACK, SCANLON and MELLOW presented to the Chair **SB 871**, entitled:

An Act prohibiting steel-jawed leghold type animal traps; and providing a penalty.

Which was committed to the Committee on GAME AND FISHERIES, May 2, 1989.

Senators MADIGAN and REGOLI presented to the Chair **SB 872**, entitled:

An Act amending the act of September 2, 1961 (P. L. 1177, No. 525), entitled "Board and Commission Compensation Law," removing from the act the salaries of the Chairman and members of the Unemployment Compensation Board of Review; and making a repeal.

Which was committed to the Committee on LABOR AND INDUSTRY, May 2, 1989.

Senators PETERSON, WILLIAMS, BRIGHTBILL, STAPLETON, GREENWOOD, HELFRICK, HOPPER, MADIGAN, BAKER, REIBMAN, JONES, WILT, RHOADES, LEMMOND, SHUMAKER, STOUT, STEWART, PUNT, SHAFFER and CORMAN presented to the Chair **SB 873**, entitled:

An Act amending the act of July 3, 1985 (P. L. 164, No. 45), entitled "Emergency Medical Services Act," limiting the use of money from the Emergency Medical Services Operating Fund.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

Senators GREENLEAF, LEMMOND, SALVATORE, AFFLERBACH, BAKER, ROCKS, PECORA, WENGER, MADIGAN, PETERSON, SHUMAKER and FATTAH presented to the Chair **SB 874**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for searches and seizures.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators GREENLEAF, LEMMOND, PECORA, SHAFFER, AFFLERBACH, STOUT, BELAN and DAWIDA presented to the Chair **SB 875**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedures for murder of the first degree.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators PETERSON, STAPLETON, SHAFFER, REIBMAN, SHUMAKER, CORMAN, GREENWOOD, HELFRICK, WENGER, LOEPER, DAWIDA and MELLOW presented to the Chair **SB 876**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," establishing a separate nomination petition filing fee for certain third class city offices.

Which was committed to the Committee on STATE GOVERNMENT, May 2, 1989.

Senator DAWIDA presented to the Chair **SB 877**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting the sale of tobacco; and prohibiting the furnishing of free coupons for cigarettes or free samples of cigarettes.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

Senator DAWIDA presented to the Chair **SB 878**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), entitled "Vital Statistics Law of 1953," further providing for information on death and fetal death certificates.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

Senator DAWIDA presented to the Chair **SB 879**, entitled:

An Act creating the Children's Educational Fund Board in the Department of Health as a funding source for educational institutions to establish educational and other programs to reduce the use of tobacco by children; and further taxing cigarettes.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, AFFLERBACH, STEWART, STOUT, PORTERFIELD, LEWIS and DAWIDA presented to the Chair **SB 880**, entitled:

An Act providing for an employment training program within the Department of Public Welfare to coordinate job training, job placement and other services for public assistance recipients; further providing for certain public assistance benefits; and making repeals.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

RESOLUTIONS INTRODUCED AND REFERRED

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

May 2, 1989

**DECLARING THE WEEK OF OCTOBER 1
THROUGH 7, 1989, AS "HEALTH CARE FOOD
SERVICE WEEK" IN PENNSYLVANIA**

Senator LOEPER offered the following resolution (**Senate Resolution No. 62**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, May 2, 1989.

A RESOLUTION

Declaring the week of October 1 through 7, 1989, as "Health Care Food Service Week" in Pennsylvania.

WHEREAS, Health care food service is a vital function of the provision of care and treatment of hospitalized persons and clients in nursing homes, extended care facilities and other health care institutions; and

WHEREAS, Health care food service workers, chefs, dietitians, dietary assistants and administrators work in concert with other health care professionals to provide the best possible patient care; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania declare the week of October 1 through 7, 1989, as "Health Care Food Service Week."

**DESIGNATING THE WEEK OF MAY 7 THROUGH
13, 1989, AS "SMALL BUSINESS WEEK"
IN PENNSYLVANIA.**

Senators SHAFFER, ROCKS, WENGER, ROSS, SHUMAKER, STOUT, JONES, GREENLEAF, MUSTO, SALVATORE, WILLIAMS, STAPLETON, STEWART, PECORA, PORTERFIELD, O'PAKE, REIBMAN, DAWIDA, MADIGAN, LEMMOND, AFFLERBACH, FATTAH, JUBELIRER, HELFRICK, FUMO, BELAN, WILT, PETERSON and FISHER offered the following resolution (**Senate Resolution No. 63**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, May 2, 1989.

A RESOLUTION

Designating the week of May 7 through 13, 1989, as "Small Business Week" in Pennsylvania.

WHEREAS, Small businesses are the backbone of Pennsylvania's economy; and

WHEREAS, Through entrepreneurship and innovation, small independent companies test untapped markets for new products and services and contribute to the competitive marketplace in such a way as to improve efficiency, thus benefiting the consumer and spurring economic growth; and

WHEREAS, Small businesses also provide job opportunities for thousands of men and women, further aiding Pennsylvania's economy; and

WHEREAS, Pennsylvania is committed to encouraging the development of new small businesses throughout the State; and

WHEREAS, The creativity, confidence and skills of small business men and women help ensure that Pennsylvania will continue to grow and prosper in freedom and opportunity; and

WHEREAS, "Small Business Week," which is being celebrated on the national and state levels, is an appropriate time to commend the thousands of men and women involved in small businesses for a job well done; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania designate the week of May 7 through 13, 1989, as "Small Business Week" in Pennsylvania.

GENERAL COMMUNICATIONS

JOB TRAINING PARTNERSHIP ACT PLANS

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

DEPARTMENT OF FEDERAL PROGRAMS
COUNTY OF ALLEGHENY
Suite 200 Wood Street Commons
304 Wood Street
Pittsburgh, PA 15222

April 21, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Senator Jubelirer:

Attached are summaries of the Allegheny County Service Delivery Area Employment and Training Programs available in Program Year 1989 under the Job Training Partnership Act (JTPA) of 1982.

If you have any questions or desire further information regarding these programs please contact me at (412) 355-5221.

Sincerely,

County of Allegheny
Department of Federal
Programs

ELIZABETH S. STERN
Manager - Planning
and Evaluation

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

COUNTY OF ERIE
Department of Employment and Training
5 West 10th Street, Suite 300
Erie, Pennsylvania 16501

April 10, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Sir:

In accordance with Section 105(a)(2) of the Job Training Partnership Act (JTPA), the Erie County Service Delivery Area has published a summary of its JTPA Master Plan Modification for Program Year 1989 which will cover the period from July 1, 1989 to June 30, 1990. A copy is attached for your information.

A copy of the Plan Modification is available for review at the office of the Erie County Department of Employment and Training, 5 West Tenth Street, Suite 300, Erie, Pennsylvania 16501. Should you have any questions or comments concerning the published summary or require a complete copy of the Plan Modification itself, please call (814) 453-4990.

Sincerely,
 County of Erie
 Department of Employment
 and Training
 THOMAS F. SCHNEIDER
 Executive Director

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

PRIVATE INDUSTRY COUNCIL
 OF PHILADELPHIA
 One Penn Center at Suburban Station
 1617 John F. Kennedy Boulevard
 Suite 1300
 Philadelphia, PA 19103

April 7, 1989

The Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Senator Jubelirer:

The modification for the Master Plan for the delivery of services for the Program Year 1989 (July 1, 1989 to June 30, 1990) under the Job Training Partnership Act (JTPA) for the Service Delivery Area (SDA) encompassing the County of Philadelphia, Pennsylvania is currently being prepared.

The modification to the Master Plan includes assurance of compliance with the Stewart B. McKinney Homeless Assistance Act, identification of those individuals/groups who will be receiving priority service through the Private Industry Council of Philadelphia, and revisions to the PIC's youth competency system, pending approval.

It is the intention of the Philadelphia Service Delivery Area to minimally serve 3,752 individuals under the Adult and Youth grant and 138 under the Older Worker grant.

Copies of the modification to the Philadelphia SDA's Master Plan for Program Year 1989 are available at the Private Industry Council of Philadelphia, (215/567-5627) One Suburban Station at Penn Center, 1617 John F. Kennedy Blvd., Suite 1300, Philadelphia, Pennsylvania 19103 between the hours of 9:00 am and 5:00 pm, Monday through Friday.

Sincerely,
 DAVID W. LACEY
 President and CEO

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

YORK COUNTY OFFICE OF
 EMPLOYMENT AND TRAINING
 118 Pleasant Acres Road
 York, Pennsylvania 17402

April 6, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Mr. Jubelirer:

Please be informed that the York County Board of Commissioners and the York County Private Industry Council, through the York County Office of Employment and Training have submitted a Master Plan Summary to the Pennsylvania Department of Labor and Industry for utilization of Job Training Partnership

Act funds in the amount of \$1,035,381. The funding period will be July 1, 1989 to June 30, 1990.

The purpose of the Plan is to provide employment and training activities that will prepare youth and unskilled adults for entry into the labor force.

The York County Service Delivery Area will strive to service those individuals in York County who are economically disadvantaged and the following targeted groups designated in the Governor's Coordination and Special Services Plan:

- Physically or Mentally Handicapped
- General Assistance or Welfare Recipients
- Dislocated Workers
- Displaced Homemakers

The activities that will be supported with funds from the Grant will include:

- Basic Skills and Pre-Entry Level Training
- Occupational Skill Training
- Youth Programs
- On-the-Job Training
- Advanced Technology
- Older Workers Program
- Up-Grade Training Programs
- Retraining Programs

Copies of the Plan will be available for examination at the York County Office of Employment and Training after April 10, 1989.

Should you have the need for additional information, please feel free to contact this office.

Sincerely,
 JAMES E. CROSBY
 Deputy Director

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

PRIVATE INDUSTRY COUNCIL OF
 WESTMORELAND/FAYETTE, INC.
 404 Courthouse Square
 Greensburg, PA 15601

April 6, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Mr. Jubelirer:

Please be advised that the Private Industry Council of Westmoreland/Fayette, Inc. has submitted a Modification to the Master Plan for the Job Training Partnership Act (JTPA) program of Westmoreland and Fayette Counties for the period July 1, 1988 to June 30, 1990. This was submitted per the request of the Bureau of Job Training Partnership, Department of Labor and Industry.

The Plan includes goals and priorities recruitment, Client Group Projections, Affirmative Action Projections, Proposed Expenditures for the two (2) year period, as well as various Administrative Procedures.

A complete copy of the Master Plan is available for your review and comments, upon request.

If you have any questions, please submit them to Edward J. Lyons, President, 404 Courthouse Square, Greensburg, PA 15601.

Sincerely,
EDWARD J. LYONS, SR.
President

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

TRI-COUNTY MANPOWER
ADMINISTRATION OFFICE
Room 121, County Office Annex
717 Morton Avenue
Butler, PA 16001-3394

March 28, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Sir:

This is notification the Tri-County Private Industry Council, Inc. intends to file with the Department of Labor and Industry in Harrisburg, various funding plans including our Annual Plan for PY 1989, Master Plan Modification for FY 1989-1990, and the Summer Youth Employment Training Program Modification for PY 1989.

Should you desire copies of the same, you may contact the Tri-County Manpower Administration office at Building 4, County Office Annex, 717 Morton Avenue, Butler, PA 16001-3394, or by telephoning (412) 282-4700.

Sincerely,
RONALD D. PAINTER
Executive Director

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

LANCASTER COUNTY EMPLOYMENT
AND TRAINING AGENCY
128 East Grant Street
P.O. Box 3480
Lancaster, Pennsylvania 17603-1881

March 29, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. President:

The County of Lancaster on behalf of the Lancaster Employment and Training Agency (LETA), the administrative entity and grant recipient for Job Training Partnership Act (JTPA) funds for Lancaster County has submitted the JTPA Master Plan Modification for the period July 1, 1989 to June 30, 1990. This Master Plan outlines the administrative systems and program goals of all local JTPA programs.

This modification revises the Master Plan to reflect changes in federal/state regulations and priorities for the upcoming program year.

A copy of this plan is available from LETA, 128 East Grant Street, Lancaster, Pennsylvania, 17603.

Sincerely,
J. THOMAS MYERS
Executive Director

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

JOB TRAINING FOR BEAVER COUNTY, INC.
Stone Point Landing, Suite 105
500 Market Street
Bridgewater, PA 15009

March 31, 1989

The Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Jubelirer:

In accordance with Section 105(a)(1) of the Job Training Partnership Act, this letter is notification of the availability of a summary for review of Beaver County's Master Plan Modification for the period July 1, 1988 through June 30, 1990 and the Annual Plan Title IIA for the period July 1, 1989 through June 30, 1990. The allocation of \$1,479,115 is to serve 408 adults, 190 youths and 18 older workers. The planned activities include basic education, skills training, on-the-job training and special youth and work experience programs.

Copies of these documents will be made available for review and comments upon request. If you have any questions, please contact this office.

Very truly yours,
ANN B. MIZER
Executive Director

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

COUNTY OF BUCKS
Office of Employment and Training
216 Mill Street
Bristol, PA 19007

April 3, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Sir:

The Bucks County Office of Employment and Training, the Administrative Entity of the Bucks County Service Delivery Area 18 wishes to inform you of its Master Plan Modification for the period July 1, 1989 through June 30, 1990.

Enclosed for your review is a copy of our Public Notice which provides a brief overview of our planned submission to the Pennsylvania Department of Labor and Industry. A complete copy of the submitted proposal will be available at your request.

Should you have any questions or desire a copy of the plan, please contact Patricia Zambelli, Manager of Planning, Bucks County Office of Employment and Training, 216 Mill Street, Bristol, PA 19007, Telephone - (215) 781-1087.

Sincerely,
JOHN V. WALSH, JR.
 Executive Director

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

PRIVATE INDUSTRY COUNCIL OF
 LEHIGH VALLEY, INC.
 1601 Union Boulevard
 PO Box 2287
 Lehigh Valley, PA 18001-2287

April 10, 1989

The Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, Pennsylvania 17120

Dear Mr. Jubelirer:

The Private Industry Council of Lehigh Valley (PIC), a Service Delivery Area (SDA), funded under the Job Training Partnership Act (JTPA) serving residents of Lehigh and Northampton County, will be submitting a modification to the two-year Master Plan and the yearly Title IIA Plan.

The Plans detail the scope of activities designed to enhance the education, skill and employability competencies of program participants.

These Plans are available for your review. If you would like a copy of the Plans or any additional information about our services, please contact me at:

PIC of Lehigh Valley, Inc.
 1601 Union Boulevard
 P. O. Box 2287
 Lehigh Valley, PA 18001-2287
 (215) 437-5627

Thank you for your interest.

Sincerely,
LAWRENCE F. KURTZ
 Planning Director

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

OFFICE OF EMPLOYMENT & TRAINING
 COUNTY OF DELAWARE
 321 W. State Street
 Media, Pennsylvania 19063

April 5, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capital Building
 Harrisburg, PA 17120

Dear Senator Jubelirer:

The Delaware County Office of Employment and Training will file modifications to the Master Plan (July 1, 1988 to June 30, 1990) and the Summer Youth Employment and Training Program (SYETP) Plan (October 1, 1988 to September 30, 1989) with the Pennsylvania Department of Labor and Industry, Bureau of Job Training Partnership.

The Master Plan and SYETP Plan or summaries thereof may be reviewed at your request and convenience.

Sincerely,
FRANCIS J. CAREY
 Executive Director

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

COUNTY OF CHESTER
 Office of Employment and Training
 117-123 W. Gay Street
 West Chester, PA 19380

April 5, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Sir:

Pursuant to Section 105 of the Job Training Partnership Act, please be advised that the Chester County JTPA Master Plan Modification for the two year period July 1, 1988 to June 30, 1990, is available for your review.

You may request a copy by contacting me at the above address and phone number.

Sincerely,
JOHN ABNET
 Executive Director

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

OFFICE OF EMPLOYMENT & TRAINING
 COUNTY OF DELAWARE
 321 W. State Street
 Media, Pennsylvania 19063

April 6, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Senator Jubelirer:

The Delaware County Office of Employment and Training will submit Modification 802, Annual Plan Agreement Number A208A000/A208C000 for Program Year 1989 with the Pennsylvania Department of Labor and Industry.

The Modification of the Annual Plan or a Summary thereof may be reviewed at your request and convenience.

Sincerely,
FRANCIS J. CAREY
 Executive Director

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

OFFICE OF EMPLOYMENT & TRAINING
 COUNTY OF DELAWARE
 321 W. State Street
 Media, Pennsylvania 19063

April 6, 1989

Honorable Robert C. Jubelirer
 President Pro Tempore
 Senate of Pennsylvania
 Main Capitol Building
 Harrisburg, PA 17120

Dear Senator Jubelirer:

The Delaware County Office of Employment and Training will submit to the Pennsylvania Department of Labor and Industry the Title IIA Incentive Grant for Program Year 1989 (7/1/89-6/30/90).

The Incentive Grant or a Summary thereof may be reviewed at your request and convenience.

Sincerely,
FRANCIS J. CAREY
Executive Director

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

OFFICE OF EMPLOYMENT & TRAINING
COUNTY OF DELAWARE
321 W. State Street
Media, Pennsylvania 19063

April 6, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Senator Jubelirer:

The Delaware County Office of Employment and Training will submit to the Pennsylvania Department of Labor and Industry the Title IIA Annual Plan for Adult/Youth and Older Workers for Program Year 1989 (7/1/89-6/30/90).

The Annual Plan or a Summary thereof may be reviewed at your request and convenience.

Sincerely,
FRANCIS J. CAREY
Executive Director

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

**ANNUAL REPORT OF THE STATE
AGRICULTURAL LAND PRESERVATION BOARD**

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

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF AGRICULTURE
Office Of The Secretary

April 27, 1989

Mr. Mark R. Corrigan
Secretary of the Senate
462 Capitol Building
Harrisburg, PA 17120

Dear Mr. Corrigan:

In accordance with Section 14.4 of Act 149 of 1988 (the Agricultural Area Security Law), the State Agricultural Land Preservation Board submits to the General Assembly an annual report no later than May 1. On behalf of the Board, of which I am Chairman, I herewith submit the report for the period through April 19, 1989.

Even though Act 149 only became effective February 13, 1989, there has been a great deal of activity directed toward getting this program started. Some of the information in this report relates to Agricultural Security Areas formed under the authority of Act 43 of 1981, which was amended by Act 149.

Act 149 provides for permanent preservation of agricultural land through the purchase of conservation easements from qualifying farmers. Easements could be purchased entirely with Commonwealth funds or with a combination of state and county funds. No easements were purchased in the time period being reported.

Should you have any questions about the data supplied in this report or should you require additional information, please contact my office.

Sincerely,
BOYD E. WOLFF
Secretary

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

**REPORT TO THE GENERAL ASSEMBLY ON THE
OPERATION OF THE WIRETAPPING AND
ELECTRONIC SURVEILLANCE CONTROL ACT**

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

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
16th Floor
Strawberry Square
Harrisburg, PA 17120

April 24, 1989

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
92 Main Capitol
Harrisburg, PA 17120

Re: Annual Reports on the Operation
of the Wiretapping and Electronic
Surveillance Control Act - 1987

Dear Senator Jubelirer:

Pursuant to my responsibilities under section 5723(b) and 5775(a) of the Wiretapping and Electronic Surveillance Control Act, as amended, 18 Pa. C.S. §§ 5723(b) and 5775(a), enclosed is a copy of my Annual Reports on the operation of the Act. If you or any member of your staff have any questions concerning these reports, please direct them to Chief Deputy Attorney General Robert A. Graci of my staff at (717) 787-6348.

Respectfully submitted,
ERNEST D. PREATE, JR.
Attorney General

The PRESIDENT. These reports will be filed in the Library.

REPORTS FROM COMMITTEES

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

SB 497 (Pr. No. 521)

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for security for bids.

SB 723 (Pr. No. 787)

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for expenses of county row officers for attending certain meetings.

SB 724 (Pr. No. 788)

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," providing for adoption of property maintenance regulations and standard codes; autho-

ricing boards of code appeals; and eliminating provisions for milk inspection.

SB 725 (Pr. No. 789)

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled, as amended, "Real Estate Tax Sale Law," further providing for the distribution of moneys collected and for notice of distribution of moneys obtained from tax sales.

SB 726 (Pr. No. 790)

An Act amending the act of April 27, 1927 (P. L. 409, No. 267), entitled "An Act providing for the postponement of the lien of a mortgage and bond accompanying the same to the lien of another mortgage or mortgages and bond accompanying, and providing for the recording of the agreement therefor;....," eliminating marginal notations of mortgage postponements in certain cases; and making an editorial change.

SB 727 (Pr. No. 1013) (Amended)

An Act amending the act of December 17, 1986 (P. L. 1685, No. 197), entitled "An act providing that recorders of deeds may make additional charges for accepting certain documents;....," regulating sizes of documents accepted for recording.

SB 728 (Pr. No. 792)

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," prohibiting elected officials of boroughs from serving as employees of that borough.

SB 735 (Pr. No. 799)

An Act prohibiting local government units and authorities from imposing certain residency requirements for employees.

SB 742 (Pr. No. 1014) (Amended)

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled, "The County Code," further regulating contracts and purchases as to bids and advertising.

SB 804 (Pr. No. 884)

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," clarifying the body empowered to make appointments to authority boards; changing the terms of authority members; and making editorial changes.

Senator HELFRICK, from the Committee on Agriculture and Rural Affairs, reported the following bills:

SB 597 (Pr. No. 1004) (Amended)

An Act amending the act of December 19, 1974 (P. L. 973, No. 319), entitled "Pennsylvania Farmland and Forest Land Assessment Act of 1974," further regulating roll-back taxes on agricultural and forest reserve.

SB 784 (Pr. No. 854)

An Act amending the act of December 15, 1986 (P. L. 1610, No. 181), entitled "Rabies Prevention and Control in Domestic Animals and Wildlife Act," providing for additional powers and duties of the Department of Agriculture, for the establishment of a rabies hotline and for the purchase of antirabies vaccines and supplies; and making an appropriation.

RESOLUTION REPORTED FROM COMMITTEE

Senator HELFRICK, from the Committee on Agriculture and Rural Affairs, reported the following resolution:

SR 56 (Pr. No. 947)

A Resolution designating the week of May 7 through 13, 1989, as "Pennsylvania Food Processors Week."

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

DISCHARGE PETITIONS

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

In the Senate, May 2, 1989.

A PETITION

To place before the Senate the nomination of Lou Cappiella as a member of the Pennsylvania Council on Aging.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Lou Cappiella, Philadelphia, Pennsylvania, as a member of the Pennsylvania Council on Aging, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

In the Senate, May 2, 1989.

A PETITION

To place before the Senate the nomination of John R. Falcone, Esquire, as a judge of the Court of Common Pleas, Erie County.

TO: The Presiding Officer of the Senate

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

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

In the Senate, May 2, 1989.

A PETITION

To place before the Senate the nomination of Wayne R. Gilbert as a member of the Municipal Police Officers' Education and Training Commission,

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Wayne R. Gilbert, West Chester, Pennsylvania, as a member of the Municipal Police Officers' Education and Training Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

In the Senate, May 2, 1989.

A PETITION

To place before the Senate the nomination of Jay S. Masi as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Jay S. Masi, Erie, Pennsylvania, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

LEGISLATIVE LEAVES

Senator BRIGHTBILL. Mr. President, I would ask for a temporary Capitol leave for Senator Tilghman.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Ross, Senator Lynch and Senator Jones.

The PRESIDENT. Senator Brightbill requests temporary Capitol leave for Senator Tilghman. Senator Mellow requests temporary Capitol leaves for Senator Ross, Senator Lynch and Senator Jones. The Chair hears no objection. The leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR

SB 661 CALLED UP OUT OF ORDER

SB 661 (Pr. No. 977) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 661 (Pr. No. 977) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Helfrick	Musto	Scanlon
Baker	Hess	O'Pake	Shaffer
Belan	Holl	Pecora	Shumaker
Bell	Hopper	Peterson	Stapleton
Bodack	Jones	Porterfield	Stewart
Brightbill	Jubelirer	Punt	Stout
Corman	Lemmond	Regoli	Tilghman
Dawida	Lewis	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Tilghman and Senator Jones. Their temporary Capitol leaves will be cancelled.

GUESTS OF SENATOR NOAH W. WENGER
AND SENATOR GIBSON E. ARMSTRONG
PRESENTED TO SENATE

Senator WENGER. Mr. President, it is indeed a pleasure for me this afternoon to make a very special introduction here to my colleagues in the Senate. We have in the gallery members of the Women's Republican Club of Lancaster County, who are under the direction of their tour guide, Mrs. Catherine Strickler. They are visiting our state Capitol today and the Senate of Pennsylvania at this time. I would appreci-

ate the usual warm welcome that we give to our fine guests. They are the guests of Senator Armstrong and myself.

The PRESIDENT. Would the Women's Republican Club of the Lancaster area, guests of Senator Wenger and Senator Armstrong, please rise so we can welcome you to the Senate Chamber.

(Applause.)

The PRESIDENT. The Chair understands that the Women's Democratic Club of Lancaster, both of them, are waiting outside.

GUESTS OF SENATOR GIBSON E. ARMSTRONG PRESENTED TO SENATE

Senator ARMSTRONG. Mr. President, I believe there is only one lady outside.

Mr. President, I have in the audience today a group of attractive young ladies. This group of young ladies really accomplished something that few other students have ever accomplished. Last year in basketball, in Class AAA-PIAA League, they were runners-up. This year they won all the marbles and won the state championship by defeating Pittsburgh North Catholic, which supposedly was one of the best teams in the nation at that time. But on that given day they were successful. Their overall record was 35-2. Their head coach, Lamar Kauffman, could not make it today, but their assistant coach, Sue Arnold, is with them. I would like to have this group please stand so the Senate could give them its usual welcome.

The PRESIDENT. Would the guests of Senator Armstrong please rise so we could welcome you to the Chamber of the Senate of Pennsylvania.

(Applause.)

GUESTS OF SENATOR GENE PORTERFIELD PRESENTED TO SENATE

Senator PORTERFIELD. Mr. President, it is my honor to have in the gallery today individuals from Project 18 in Westmoreland County, headed up by Rich Redmersky. These folks are here for several days studying government, and the Senate and the House have extended to them an open door. They are learning more about the state government process. In addition to the total group, there are some friends of mine in that group that I had the opportunity to eat lunch with today and spend some time with over the last couple of days. I would like to introduce the total group, along with these folks. They are Theresa Feretti, April Gaffney, Steve Good and Joe Kokoska. Mr. President, I would ask that the Senate extend its normal warm greeting to these folks.

The PRESIDENT. Would the participants in Project 18 and all the other members of the delegation and friends of Senator Porterfield please rise so we could welcome you to the Senate of Pennsylvania.

(Applause.)

GUEST OF SENATOR JOHN J. SHUMAKER PRESENTED TO SENATE

Senator SHUMAKER. Mr. President, I would like to introduce to the Senate Shani Warner who is spending the day with us in our office. She is a sophomore, honor student, class treasurer and member of the Student Volunteer Council at the Harrisburg Academy. She was recently selected to attend the Pennsylvania Governor's School for International Studies and was also chosen to participate in the language study program in which she will travel to France for the entire summer. She will live with a French family and study the French language. I ask that we extend to her our normal and usual warm welcome.

The PRESIDENT. Would the guest of Senator Shumaker please rise so we can congratulate you and welcome you to the Senate of Pennsylvania.

(Applause.)

GUESTS OF SENATOR MICHAEL A. O'PAKE AND SENATOR M. JOSEPH ROCKS PRESENTED TO SENATE

Senator O'PAKE. Mr. President, also in the gallery here to participate in Hearing Impaired Awareness Week are two of the leaders in that effort in my home area, Mrs. Marge Danowski, who is the Executive Director of the Berks County Association for the Hearing Impaired, and with her, Helen Wummer, who is a past board member. I would like the Chair to extend its usual warm welcome to these very hardworking people from Reading and Berks County.

The PRESIDENT. The Chair welcomes the guests of Senator O'Pake to the Chamber. Welcome.

(Applause.)

Senator ROCKS. Mr. President, we do not frequently have this opportunity but I would like to join with Senator O'Pake and others in welcoming their guests, particularly those here today for Hearing Impaired and Hard of Hearing Week in the Commonwealth, particularly Mrs. Wummer, who is here from Senator O'Pake's district. I would like to point out to all of our colleagues that it was her daughter, Sarah, who was one of the first deaf pages to serve in the nation's first deaf page program here in the State of Pennsylvania, which continues with a great deal of pride. So it is great to have Mrs. Wummer here visiting us in her own special way today.

The PRESIDENT. The Chair thanks the gentleman and, once again, would ask the gentle ladies to rise so we can welcome you to Pennsylvania's Senate. Thank you for coming.

(Applause.)

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Rules and

Executive Nominations to meet off the floor during today's Session to consider Senate Bill No. 4, Senate Resolution No. 63, House Resolution No. 81 and certain nominations.

RECESS

Senator LOEPER. Mr. President, at this time I would ask for a recess of the Senate for the purpose of a Republican caucus to begin immediately in the first floor Majority caucus room, with an expectation of returning to the floor at approximately 3:30 p.m. It would be, Mr. President, my request that upon the conclusion of the caucus that we would convene the Committee on Rules and Executive Nominations prior to the convening of the Session to consider the rest of the Calendar.

Senator MELLOW. Mr. President, I would request that the Members of the Democratic caucus report immediately to our caucus room.

The PRESIDENT. For the purpose of Republican and Democratic caucuses to begin immediately, the Senate will stand in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 36 and 104 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 310 (Pr. No. 318) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEAS—49

Table listing names of Senators who voted 'Yeas' for SB 310, including Afflerbach, Greenleaf, Madigan, Ross, Andrezeski, Greenwood, Mellow, Salvatore, etc.

Table listing names of Senators who voted 'Nays' for SB 310, including Dawida, Lewis, Reibman, Wenger, Fattah, Loeper, Rhoades, Williams, Fisher, Lynch, Rocks, Wilt, Fumo.

NAYS—0

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

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

BILL REREFERRED

SB 339 (Pr. No. 350) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1980 (P. L. 1179, No. 219), entitled "Secondary Mortgage Loan Act," defining and regulating a secondary mortgage loan broker; further providing for record retention, processing and the licensing of contiguous State offices; providing for loan closings; and further providing for the authority of the Secretary of Banking.

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 357 (Pr. No. 370) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," permitting health care facilities to board an animal in certain cases; and limiting liability when animals are boarded or brought on the premises of health care facilities.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEAS—49

Table listing names of Senators who voted 'Yeas' for SB 357, including Afflerbach, Greenleaf, Madigan, Ross, Andrezeski, Greenwood, Mellow, Salvatore, etc.

NAYS—0

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

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

SB 363 (Pr. No. 376) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further defining the terms "employee" and "employer" for personal income tax purposes.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Helfrick	Musto	Scanlon
Baker	Hess	O'Pake	Shaffer
Belan	Holl	Pecora	Shumaker
Bell	Hopper	Peterson	Stapleton
Bodack	Jones	Porterfield	Stewart
Brightbill	Jubelirer	Punt	Stout
Corman	Lemmond	Regoli	Tilghman
Dawida	Lewis	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

BILL OVER IN ORDER

SB 548 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 7, SB 16 and 557 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 788 (Pr. No. 868) — The Senate proceeded to consideration of the bill, entitled:

An Act prohibiting the sale, manufacture, distribution or use of certain cleaning agents containing phosphates; conferring powers and duties on the Environmental Quality Board and the Department of Environmental Resources; and providing penalties.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 845 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**UNFINISHED BUSINESS
REPORT FROM COMMITTEE**

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following bill on concurrence in House amendments:

SB 4 (Pr. No. 981)

An Act reenacting and amending the act of June 25, 1982 (P. L. 633, No. 181), entitled, as reenacted and amended, "Regulatory Review Act," further providing for the membership of the Independent Regulatory Review Commission and for the procedure for regulatory review; changing the termination date for the commission; and making repeals.

RESOLUTIONS REPORTED FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following resolutions:

SR 63 (Pr. No. 1003)

A Resolution designating the week of May 7 through 13, 1989, as "Small Business Week" in Pennsylvania.

HR 81 (Pr. No. 1382)

Designating the month of May 1989 as "Older Americans' Month" in Pennsylvania.

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

**REPORT FROM COMMITTEE ON
RULES AND EXECUTIVE NOMINATIONS**

Senator WILT, by unanimous consent, from the Committee on Rules and Executive Nominations, reported the following nomination, made by His Excellency, the Governor of the Commonwealth, which was read by the Clerk as follows:

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

April 18, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alice C. Chambers, 10 North Darlington Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1995, and until her successor is appointed and qualified, vice Joseph C. Zoll, Upper Darby, whose term expired.

ROBERT P. CASEY.

NOMINATION LAID ON THE TABLE

Senator WILT. Mr. President, I request the nomination just read by the Clerk be laid on the table.

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

SENATE RESOLUTION

DESIGNATING THE WEEK OF MAY 14 THROUGH 20, 1989, AS "PASTA WEEK" IN PENNSYLVANIA, IN RECOGNITION OF THE 75TH ANNIVERSARY OF THE BEGINNING OF PRODUCTION OF SAN GIORGIO PASTA

Senators BRIGHTBILL, MELLOW and SHUMAKER offered the following resolution (Senate Resolution No. 64), which was read, considered and adopted:

In the Senate, May 2, 1989.

A RESOLUTION

Designating the week of May 14 through 20, 1989, as "Pasta Week" in Pennsylvania, in recognition of the 75th anniversary of the beginning of production of San Giorgio pasta.

WHEREAS, San Giorgio is the oldest pasta producer, and the largest pasta producer in pounds, dollars and employees in Pennsylvania; and

WHEREAS, Founded in 1914 as the Keystone Macaroni Company by Girolamo Guerrisi, San Giorgio has been a consistent employer in Lebanon, Pennsylvania, for 75 years. Built from scratch and family operated, Keystone Macaroni Company changed its name to San Giorgio Macaroni Company in 1947. At the time, San Giorgio pasta was Keystone's largest volume label, and the name change reflected the brand's strength in its markets; and

WHEREAS, Girolamo Guerrisi and his company started with ten original employees, and their product, packaged in 5, 10 and 20 pound bags, was sold primarily in Lebanon and Hershey, Pennsylvania. As their market grew, so did the number of their employees. With 237 people, San Giorgio's Lebanon manufacturing plant is one of the largest employers in Lebanon County, Pennsylvania; and

WHEREAS, For 75 years, the Guerrisi's and San Giorgio have taken great pride in the quality of their product. Even today, San Giorgio pasta is made with 100% Durum Wheat Semolina and is not blended with other flours or wheat, making San Giorgio pasta an important part of a highly nutritious and economical meal; and

WHEREAS, San Giorgio has also respected its customers, and this is reflected in its growth. The San Giorgio marketing zone reaches north through New York into Connecticut and Western Massachusetts, south into the Richmond/Norfolk area of Virginia, and stretches west through Indiana and into its newest market, Chicago. The brand is now also produced at a second facility located in Louisville, Kentucky; and

WHEREAS, The Guerrisi's and San Giorgio also know the value of the rewards of hard work on the part of their employees. This was never more evident than when a fire leveled the San Giorgio plant in 1960. Rebuilt from scratch, they were producing pasta again in a year, and the Lebanon plant now produces more pounds of pasta each day than any other plant in the Hershey Pasta Group network; and

WHEREAS, The dedication, values and hard work of San Giorgio's employees were a key factor in Hershey Foods Corporation's (then the Hershey Chocolate Company) purchase of the San Giorgio Macaroni Company in 1966. Although approached by other companies, Hershey's philosophy better served the Guerrisi family philosophy, and San Giorgio has continued to prosper. San Giorgio is the cornerstone of what is now known as

the Hershey Pasta Group, a division of Hershey Foods Corporation; and

WHEREAS, San Giorgio hasn't forgotten where it came from and continues to give back to the community. In 1988 alone, it contributed to the Lebanon County United Way, Easter Seals, United Cerebral Palsy, American Heart Association, Missing Children U.S.A., American Cancer Society, and the American Red Cross, as well as to many local organizations such as the Jaycees and the Good Samaritan Hospital Street Fair; and

WHEREAS, San Giorgio is a tradition of people—people with strong beliefs that are incorporated into their business practices and in turn form the basis of the division's value system. San Giorgio has a strong sense of values and a direction for the future. For 75 years, San Giorgio has produced quality products, has been a consistent employer and has been a community leader. It's a good place to work, a good place to grow and a good place to succeed; therefore be it

RESOLVED, That the Senate of Pennsylvania, on the occasion of the 75th anniversary of the first production of San Giorgio pasta, congratulate all those involved in the production of that fine product; and be it further

RESOLVED, That the week of May 14 through 20, 1989, be designated as "Pasta Week" in Pennsylvania.

BILLS IN PLACE

Senator ROCKS presented to the Chair several bills.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Jim Booros and to the Exchange Club of Allentown by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Harold F. Schaffer, Mr. and Mrs. John C. Long, Jr., Mr. and Mrs. Frank Decker, Mr. and Mrs. Victor Lawrence, Mr. and Mrs. Clyde C. Stringfellow, Mr. and Mrs. Arthur F. Schneider, Mr. and Mrs. Frank Bucher, Mr. and Mrs. Roy Davidson, Mr. and Mrs. Harold Bortz, Mr. and Mrs. Clyde Wiggins, Mr. and Mrs. George Summy, Mr. and Mrs. Wayne M. Byers, Dr. and Mrs. Franklin Cassel, Mr. and Mrs. John H. Stoner, Mr. and Mrs. Robert B. Billett, Mr. and Mrs. Harry V. Watson, John Henry, John J. Irvine, Daniel J. Sahn, Karl J. Toews, Tyler P. Bednarski, Timothy E. Walsh and to Irene Lehman by Senator Armstrong.

Congratulations of the Senate were extended to William K. Croft by Senator Baker.

Congratulations of the Senate were extended to the County of Lebanon Transit Authority by Senator Brightbill.

Congratulations of the Senate were extended to Generations Together and to the Salvation Army Homestead Corps by Senator Dawida.

Congratulations of the Senate were extended to Dr. Richard D. Breslin, Dr. Constance E. Clayton and to NASA Astronaut Guion Bluford by Senator Fattah.

Congratulations of the Senate were extended to Mark Hutchin and to Kevin Harris by Senator Fisher.

Congratulations of the Senate were extended to Monsieur Frot, Maire de la Ville de Rochefort sur Mer, France and to Madame Nicole Le Mener et sa classe de 4A, College Edouard Grimaux, Rochefort sur Mer, France by Senator Greenleaf.

Congratulations of the Senate were extended to Michael Clayton and to Colby J. Loucks by Senator Hess.

Congratulations of the Senate were extended to the North Penn Chamber of Commerce of Lansdale, Train Collectors Association and to the Towamencin Volunteer Fire Company of Kulpsville by Senator Holl.

Congratulations of the Senate were extended to Ernest E. Wissinger and to the State Correctional Institution at Huntingdon by Senator Jubelirer.

Congratulations of the Senate were extended to Ronald W. J. Markovitz by Senator Lemmond.

Congratulations of the Senate were extended to the Neshaminy High School Concert Choir of Langhorne by Senator Lewis.

Congratulations of the Senate were extended to Anthony J. Marchese by Senator Loeper.

Congratulations of the Senate were extended to Patrick S. English, John V. Calce, Scott Fulmer and to Ronald V. Defeo III by Senator Madigan.

Congratulations of the Senate were extended to Janet A. Capper and to Family Services of Warren County by Senator Peterson.

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

Congratulations of the Senate were extended to Samuel Blanchard, Scott A. Bopp and to Elmer E. Wulff by Senator Shaffer.

Congratulations of the Senate were extended to Colonel Laurence P. Kenney, Jr., Flosie Siler and to the Harrisburg Charter Chapter of the American Business Women's Association by Senator Shumaker.

Congratulations of the Senate were extended to Bradley L. Welker by Senator Stewart.

Congratulations of the Senate were extended to Thomas A. Edison High School/John C. Fareira Skills Center of Philadelphia by Senator Williams.

Congratulations of the Senate were extended to Aaron Armer by Senator Wilt.

SENATE RESOLUTION

SUPPORTING THE EFFORTS OF THE PARTNERSHIP FOR IMPROVED AIR TRAVEL TO SIGNIFICANTLY INCREASE THE CAPACITY OF THE AIR TRANSPORT SYSTEM

Senators STAPLETON, HELFRICK, STEWART, MELLOW, PORTERFIELD, BELAN, ANDREZESKI, BODACK, REIBMAN, O'PAKE, SCANLON, AFFLERBACH, MUSTO, PETERSON, FUMO and PECORA offered the following resolution (**Senate Resolution No. 65**), which was read, considered and adopted:

In the Senate, May 2, 1989.

A RESOLUTION

Supporting the efforts of the Partnership for Improved Air Travel to significantly increase the capacity of the air transport system.

WHEREAS, The number of passengers boarding United States airplanes has doubled since 1977 and is expected to rise an additional 67% in the next 11 years; and

WHEREAS, No major new airport has been built in the United States since 1974; and

WHEREAS, An efficient air transportation system is essential to the vigor of Pennsylvania's economy and to the quality of life in Pennsylvania; and

WHEREAS, Development of the air transportation system has failed to keep pace with soaring public demand for air travel; and

WHEREAS, The lagging development has prevented the air transportation system from operating with the efficiency desired and required by business and pleasure travelers; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania enthusiastically support the efforts of the Partnership for Improved Air Travel to help build a national commitment for a program to significantly increase the capacity of the air transportation system; and be it further

RESOLVED, That the Senate of the Commonwealth of Pennsylvania applaud the Partnership's efforts to add people and equipment to today's aviation system; modernize the airspace control system; create a national airport plan for development of airports and runways when and where needed; reorganize the Federal Aviation Administration; and establish a long-range planning process to avoid future capacity crises; and be it further

RESOLVED, That the Senate of the Commonwealth of Pennsylvania urge the United States Congress to support Federal government initiatives that will help achieve these very critical goals.

SB 253 TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I move that Senate Bill No. 253, Printer's No. 260, be taken from the table and placed on the Calendar.

The motion was agreed to.

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

GUESTS OF SENATOR EDWIN G. HOLL PRESENTED TO SENATE

Senator HOLL. Mr. President, I am delighted to introduce to the Members of the Senate the North Penn Chamber of Commerce delegation, who are visiting the Capitol today under the direction of their President, Tom Bachelor, and Executive Director, Buzz Allen. They are here. They have heard several Cabinet Officers, and in addition to that, they have heard from the Chamber of Commerce of the state. They are here today viewing this Session. If you will please extend your usual warm welcome, I will appreciate it, Mr. President.

The PRESIDENT. Would the guests of Senator Holl please rise so we could recognize you and welcome you to the Chamber of the Senate.

(Applause.)

EXECUTIVE NOMINATIONS**EXECUTIVE SESSION**

Motion was made by Senator WILT,

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

I would also like unanimous consent of the Senate to include on that list Alice C. Chambers who was formerly reported from committee and laid on the table.

The PRESIDENT. Senator Wilt seeks unanimous consent for the consideration of Alice C. Chambers, nominee for the Council of Trustees of West Chester University. The Chair hears no objection to the unanimous consent request and will add the name of Alice Chambers to the list.

The Clerk read the nominations as follows:

**MEMBER OF THE STATE
CONSERVATION COMMISSION**

January 27, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Lange, 400 Fairview Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until November 7, 1992, and until his successor is appointed and qualified, but not longer than six months beyond that period.

ROBERT P. CASEY.

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

March 23, 1989.

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, Glenn Y. Forney, 10 Oldfield Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for reappointment 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, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

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

March 23, 1989.

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, Stewart P. Kearney, 109 North Sumner Avenue, Scranton 18504, Lackawanna County, Twenty-second 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, 1995, and until his successor is appointed and qualified, vice R. Dale Hughes, East Stroudsburg, 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**

March 23, 1989.

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, Cosmo G. Lalli, 136 East Pine Street, Dunmore 18512, Lackawanna County, Twenty-second Senatorial District, for reappointment 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, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

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

March 23, 1989.

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, Albert R. Murray, R. D. 6, Box 6000, East Stroudsburg 18301, Monroe County, Twentieth 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, 1995, and until his successor is appointed and qualified, vice W. Edmund Magann, D.D.S., Stroudsburg, 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**

March 23, 1989.

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, E. Craig Sweeten, P. O. Box 158, Route 390, Skytop 18357, Monroe County, Twenty-second Senatorial District, for reappointment 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, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES
OF WERNERSVILLE STATE HOSPITAL

April 4, 1989.

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, Warren W. Lamm, Box 371, R. D. 5, Sinking Spring 19608, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF
WOODVILLE STATE HOSPITAL

April 13, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dale Miller, 1099 Lafayette, Bridgeville 15017, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Woodville State Hospital, to serve until the third Tuesday of January, 1993, and until his successor is appointed and qualified, vice David Poellot, Bridgeville, deceased.

ROBERT P. CASEY.

MEMBER OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

April 4, 1989.

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, Margot F. Guinan (Democrat), 15 South Maple Street, Mount Carmel 17851, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 1990, and until her successor is appointed and qualified, vice Malcom E. Arter, Northumberland, whose term expired.

ROBERT P. CASEY.

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

April 18, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alice C. Chambers, 10 North Darlington Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1995, and until her successor is appointed and qualified, vice Joseph C. Zoll, Upper Darby, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE
CONSERVATION COMMISSION

January 27, 1989.

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, David Shepler, R. D. 1, Champion 15622, Fayette County, Thirty-second Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 1992, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Clifford W. Tinklepaugh, Thompson, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

January 27, 1989.

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, Jack Gross, 1830 Rittenhouse Square, Apartment 9A, Philadelphia 19103, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years and until his successor is appointed and qualified, vice John Scotzin, Camp Hill, deceased.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nominations?

QUESTION DIVIDED

Senator WILT. Mr. President, I would ask that David Shepler, the State Conservation Commission nominee, and Jack Gross, Public Television Network Commission, be run separately.

The PRESIDENT. If there are no objections, the question then before the Senate is,

Will the Senate advise and consent to the nominations of David Shepler, State Conservation Commission, and Jack Gross, Pennsylvania Public Television Network Commission?

LEGISLATIVE LEAVES

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

Senator BRIGHTBILL. Mr. President, I ask for Capitol leaves for Senator Jubelirer, Senator Shumaker and Senator Helfrick.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Andrezeski, Senator Fumo and Senator Porterfield. Senator Brightbill requests temporary Capitol leaves for Senator Jubelirer, Senator Shumaker and Senator Helfrick. The Chair hears no objections to the leaves. The leaves will be granted.

And the question recurring,
Will the Senate advise and consent to the nominations?

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

YEAS—22

Afflerbach	Fumo	O'Pake	Scanlon
Andrezeski	Jones	Porterfield	Stapleton
Belan	Lewis	Regoli	Stewart
Bodack	Lynch	Reibman	Stout
Dawida	Mellow	Ross	Williams
Fattah	Musto		

NAYS—27

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

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

Ordered, That the Governor be informed accordingly.

On the question,
Will the Senate advise and consent to the remainder of the nominations?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Helfrick	Musto	Scanlon
Baker	Hess	O'Pake	Shaffer
Belan	Holl	Pecora	Shumaker
Bell	Hopper	Peterson	Stapleton
Bodack	Jones	Porterfield	Stewart
Brightbill	Jubelirer	Punt	Stout
Corman	Lemmond	Regoli	Tilghman
Dawida	Lewis	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR NO. 1**

**BILL ON CONCURRENCE IN
HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 4 (Pr. No. 981) — The Senate proceeded to consideration of the bill, entitled:

An Act reenacting and amending the act of June 25, 1982 (P. L. 633, No. 181), entitled, as reenacted and amended, "Regulatory Review Act," further providing for the membership of the Independent Regulatory Review Commission and for the procedure for regulatory review; changing the termination date for the commission; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 4.

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

LEGISLATIVE LEAVE

Senator MELLOW. Mr. President, I would like to request a temporary Capitol leave for Senator Williams who has been called to his office.

The PRESIDENT. Is there an objection to the leave request for Senator Williams? The Chair hears none. The leave will be granted.

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

Senator WENGER. Mr. President, Senate Bill No. 4 amends the Regulatory Review Act and reauthorizes the Independent Regulatory Review Commission through December 31, 1993.

Senate Bill No. 4, a revised version of Senate Bill No. 202 from last Session, represents nearly three years of analysis, research and public hearings on the regulatory review process. I am convinced that Senate Bill No. 4, as amended, represents the best compromise that can be reached on this matter.

The bill before us today would alter the existing regulatory review process. I want to emphasize that the changes being proposed represent input from the Senate, the House and the Governor's Office. In spite of the input from the various parties mentioned, earlier today I received a letter from the Governor's Office urging me to vote "no" on Senate Bill No. 4. I would like to take just a few moments to respond to some of the observations included in that letter.

First, the Governor's Secretary for Legislative Affairs states that "Senate Bill No. 4 would continue IRRC's power to block regulations." This statement is true only when and if an agency would decide to withdraw a regulation. Amendments in the House would permit an agency to go directly to the General Assembly for approval of a final-form regulation. In order for the General Assembly to stop a proposed regulation from becoming effective, it would require a majority vote on a concurrent resolution in both Chambers and presentment

to the Governor. If the Governor vetoes the resolution, then a two-thirds majority vote in both Houses is necessary to permanently bar publication of the regulation.

Mr. President, I submit to you that it is very unlikely that the scenario I just described to you will occur with any frequency.

Another major point emphasized in the letter is that Senate Bill No. 4 “delays the entire IRRC review process until after the public comment period ends.” This is not exactly accurate either. The legislative standing committees and IRRC are requested to submit written comments during the public comment period. The point I want to make here is that under current law, the legislative standing committees do not have an opportunity to review the final-form regulation. As long as we in the Legislature have such an opportunity to comment on final-form regulations, I do not believe that “private citizens and groups” will be disadvantaged by the review process as outlined in Senate Bill No. 4.

One final concern identified by the Secretary concerns the “complexity of the process with all the loops that send a regulation back and forth between the agency, IRRC and the standing committees.” This simply is not an accurate observation. Senate Bill No. 4, as amended, streamlines the review process and permits only one loop “between IRRC and the proposing agency.” This “loop” was added by a House amendment. As for the Governor’s proposal, if it was accepted in total, it would simply make IRRC advisory to the Legislature. Mr. President, we do not need another advisory commission.

In my opinion, the IRRC has protected the public interest by ensuring that proposed regulations are not excessive, that they are, indeed, necessary, and that they do not go beyond the scope of what the General Assembly had intended in the law.

Last Wednesday, the House of Representatives voted 199-0 to reauthorize IRRC. This vote clearly indicates, Mr. President, that this is not a partisan issue. I urge you to vote “yes” on concurrence to Senate Bill No. 4.

Senator MELLOW. Mr. President, I would just merely ask my colleagues to vote “no” on Senate Bill No. 4.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair recognizes, prior to the vote, the presence on the floor of Senator Andrezeski. His temporary Capitol leave will be cancelled.

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

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

Senator FUMO. 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 taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—31

Afflerbach	Greenleaf	Loeper	Rocks
Armstrong	Greenwood	Madigan	Salvatore
Baker	Helfrick	O’Pake	Shaffer
Bell	Hess	Pecora	Shumaker
Brightbill	Holl	Peterson	Tilghman
Corman	Hopper	Punt	Wenger
Fisher	Jubelirer	Reibman	Wilt
Fumo	Lemmond	Rhoades	

NAYS—18

Andrezeski	Jones	Porterfield	Stapleton
Belan	Lewis	Regoli	Stewart
Bodack	Lynch	Ross	Stout
Dawida	Mellow	Scanlon	Williams
Fattah	Musto		

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 JAMES J. RHOADES PRESENTED TO SENATE

Senator RHOADES. Mr. President, we have with us today in the gallery fourth graders from Our Lady of the Valley School in Summit Hill, which is located in Carbon County. They are here with their parents and their teacher, Sheryl Harakel. I would appreciate if the Senate would extend its usual warm welcome to them.

The PRESIDENT. Would the friends, students and guests of Senator Rhoades please rise so we could welcome you to the Chamber of the Senate of Pennsylvania.

(Applause.)

UNFINISHED BUSINESS

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 497, 597, 723, 724, 725, 726, 727, 728, 735, 742, 784 and 804.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

Senator BAKER. Mr. President, I would like to note that today we confirmed a grand lady from Chester County, Mrs. Alice Chambers, to be a Member of the Board of Trustees of West Chester State University by a bipartisan vote. Although she is a member of the opposite persuasion, she and her family have been esteemed members of the political community and civic leadership in Chester County for many years.

She is advanced in years, and I am sure she will appreciate the support of this Senate in fulfilling this important responsibility.

BILLS INTRODUCED AND REFERRED

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

May 2, 1989

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, AFFLERBACH, STEWART, REGOLI, STOUT, PORTERFIELD, LEWIS, DAWIDA and JONES presented to the Chair **SB 881**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, requiring periodic review of support guidelines.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, WILLIAMS, AFFLERBACH, STEWART, REGOLI, STOUT, FATTAH, PORTERFIELD, LEWIS, DAWIDA and JONES presented to the Chair **SB 882**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), entitled "Vital Statistics Law of 1953," requiring Social Security numbers of parents on birth certificates.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 1989.

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, AFFLERBACH, STEWART, STOUT, REGOLI, FATTAH, PORTERFIELD, LEWIS, DAWIDA and JONES presented to the Chair **SB 883**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for mandatory attachment of income in orders of support.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, AFFLERBACH, STEWART, STOUT, FATTAH, PORTERFIELD, LEWIS, DAWIDA and JONES presented to the Chair **SB 884**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for periodic review of support orders.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators ANDREZESKI, REIBMAN, STAPLETON, O'PAKE, BODACK, MELLOW, WILLIAMS, AFFLERBACH, STEWART, REGOLI, FATTAH, PORTERFIELD, LEWIS, DAWIDA and JONES presented to the Chair **SB 885**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for genetic tests in relation to paternity disputes.

Which was committed to the Committee on JUDICIARY, May 2, 1989.

Senators MELLOW, PORTERFIELD, SALVATORE, FATTAH, MUSTO and BELAN presented to the Chair **SB 886**, entitled:

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

Which was committed to the Committee on LOCAL GOVERNMENT, May 2, 1989.

Senators MELLOW, SCANLON, ROSS, MUSTO, PECORA, STAPLETON, DAWIDA, O'PAKE, STOUT, REGOLI, PORTERFIELD and BELAN presented to the Chair **SB 887**, entitled:

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," establishing the Boxing and Wrestling Commission and providing for its powers and duties; further providing for the regulation of boxing and wrestling contests and exhibitions; further providing for fees, safety regulations and penalties; reestablishing the commission under the Sunset Act; creating a task force on boxing; making repeals; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, May 2, 1989.

Senators RHOADES, FUMO, GREENLEAF, SALVATORE, MELLOW, BAKER, BODACK, SHAFFER, MADIGAN, AFFLERBACH, PECORA, LINCOLN, STOUT, LEWIS, PUNT, LYNCH, O'PAKE and SCANLON presented to the Chair **SB 888**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for cigarette licensing and license fees.

Which was committed to the Committee on FINANCE, May 2, 1989.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Mark S. Singel) in the presence of the Senate signed the following bill:

SB 4.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 3, 1989

9:30 A.M.	INTERGOVERNMENTAL AFFAIRS (to consider Israel Independence Day	Room 461, 4th Floor Conference Rm.,
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Resolution, Senate Resolu-
tions No. 58, 41 and Senate
Bill No. 803) North Wing

10:30 A.M. STATE GOVERNMENT Room 461,
(to consider House Bill 4th Floor
No. 162) Conference Rm.,
North Wing

TUESDAY, MAY 9, 1989

10:00 A.M. ENVIRONMENTAL Bucks Co.
RESOURCES AND ENERGY Emergency Ser.
(Public Hearing on Senate Training Ctr.,
Bill No. 649) Route 611,
Edison

FRIDAY, MAY 12, 1989

10:00 A.M. ENVIRONMENTAL Conference Rm. 1,
RESOURCES AND ENERGY First Floor,
(to consider Senate Bill Allegheny County
No. 649) Courthouse,
Pittsburgh

WEDNESDAY, MAY 24, 1989

1:00 P.M. LAW AND JUSTICE Room 8,
(Public Hearing on Senate Hearing Room,
Bill No. 815) East Wing

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Wednesday, May 3, 1989, at 10:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 3:40 p.m., Eastern Daylight Saving Time.