

LEGISLATIVE JOURNAL

FRIDAY, JUNE 30, 1989

SESSION OF 1989

173RD OF THE GENERAL ASSEMBLY

No. 47

SENATE

FRIDAY, June 30, 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 Mr. TIMOTHY HOFFMAN, Pastor of Mt. Zion Evangelical Lutheran Church, Lewisberry, offered the following prayer:

Let us pray.

Lord, there are many things in this world we have difficulty in understanding. At times there are fine lines between what may be right and what may be wrong, and the fact that I may not always be right is, perhaps, the most difficult thing I must confess. Remind us, Lord, that only You are always right and know what is best for Your creation.

As we convene as a governing Body of this Commonwealth, we pray Your blessing of love, inspiration and courage be upon us so that we may prove to be instruments of Yours. Bless us now, Lord, in body, mind and spirit in His name. Amen.

The PRESIDENT. Once again, the Chair thanks Reverend Hoffman for his service throughout this week.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 29, 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.

COMMUNICATION FROM THE GOVERNOR

RECALL COMMUNICATION REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

June 30, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 29, 1989 for the appointment of Vincent P. Carocci, 813 Mandy Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Public Utility Commission, to serve for a term of five years, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Linda C. Taliaferro, Esquire, Harrisburg, resigned.

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

ROBERT P. CASEY.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate SB 1010, with the information the House has passed the same without amendments.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 357, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XV, Section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

BILLS SIGNED

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

SB 1010, HB 439, 691, 1520, 1522, 1731 and 1732.

LEGISLATIVE LEAVES

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

The PRESIDENT. Senator Mellow asks temporary Capitol leaves for Senator Andrezeski and Senator Ross. The Chair hears no objection. Those leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR

SB 253 CALLED UP OUT OF ORDER

SB 253 (Pr. No. 1342) — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill on Concurrence in House Amendments, by Senator LOEPER, as a Special Order of Business.

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 253 (Pr. No. 1342) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1973 (P. L. 397, No. 141), entitled "Teacher Certification Law," further providing for the commission; and providing for the reestablishment of the commission.

Senator LOEPER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 253.

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

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

Senator LEWIS. 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 LOEPER and were as follows, viz:

YEAS—49

Table with 4 columns of names: Afflerbach, Andrezski, Armstrong, Baker, Belan, Bell, Bodack, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Hess, Holl, Hopper, Jones, Jubelirer, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Regoli, Reibman, Rhoades, Rocks, Ross, Salvatore, Scanlon, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams, Wilt.

NAYS—0

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

Senator LOEPER. Mr. President, I move that the President pro tempore appoint a Committee of Conference.

The motion was agreed to.

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

HB 1479 CALLED UP OUT OF ORDER

HB 1479 (Pr. No. 2310) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

NONPREFERRED APPROPRIATION BILL REREPORTED FROM COMMITTEE AS AMENDED RECOMMITTED

HB 1479 (Pr. No. 2310) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown.

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

HB 31 CALLED UP OUT OF ORDER

HB 31 (Pr. No. 2317) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

HB 31 (Pr. No. 2317) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions.

Considered the third time and agreed to,

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

On the question, Shall the bill pass finally?

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

YEAS—49

Table with 4 columns of names: Afflerbach, Andrezski, Armstrong, Baker, Belan, Bell, Bodack, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Hess, Holl, Hopper, Jones, Jubelirer, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Regoli, Reibman, Rhoades, Rocks, Ross, Salvatore, Scanlon, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams, Wilt.

NAYS—0

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

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

**HB 285 CALLED UP OUT OF ORDER**

**HB 285 (Pr. No. 2319)** — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 285 (Pr. No. 2319)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further defining the terms "employee" and "employer" for personal income tax purposes; and excluding certain transactions from the realty transfer tax.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1020 CALLED UP OUT OF ORDER**

**HB 1020 (Pr. No. 2320)** — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 1020 (Pr. No. 2320)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," further providing for penalties for failure to file certain reports.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1373 CALLED UP OUT OF ORDER**

**HB 1373 (Pr. No. 2321)** — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 1373 (Pr. No. 2321)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for employment incentive payments and for estimated tax.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

## YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1518 CALLED UP OUT OF ORDER**

**HB 1518 (Pr. No. 1772)** — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**PREFERRED APPROPRIATION BILL  
RECOMMITTED**

**HB 1518 (Pr. No. 1772)** — The Senate proceeded to consideration of the bill, entitled:

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

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

**HB 1521 CALLED UP OUT OF ORDER**

**HB 1521 (Pr. No. 1775)** — Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**PREFERRED APPROPRIATION BILL  
RECOMMITTED**

**HB 1521 (Pr. No. 1775)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1989, to June 30, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989.

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

**SPECIAL ORDER OF BUSINESS****ANNOUNCEMENTS BY THE SECRETARY**

The SECRETARY. The Majority and Minority Leaders have given their approval for the following committee meetings to be held during today's Session: The Committee on Rules and Executive Nominations to consider Senate Bills No. 252, 280, 283 and 910 and certain nominations, also the Committee on Appropriations to consider House Bill No. 1479.

**RECESS**

Senator LOEPER. Mr. President, at this time I would ask for a recess of the Senate, first for the purpose of a meeting of the Committee on Appropriations to take place immediately in the Rules room at the rear of the Senate Chamber, followed at 3:00 o'clock by a Republican caucus in the first floor Majority caucus room, with an expectation of returning to the floor at approximately 4:30 p.m.

Senator MELLOW. Mr. President, upon conclusion of the committee meetings that are going to be called off the floor, I would respectfully request that the Members of the Democratic caucus then report immediately to our caucus room at the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations to begin immediately, as well as Republican and Democratic caucuses to follow, the Senate will stand in recess.

**AFTER RECESS**

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

**REPORTS FROM COMMITTEES**

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

**HB 1479 (Pr. No. 2353) (Amended) (Rereported)**

An Act making appropriations to the Delaware Valley College of Science and Agriculture at Doylestown.

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

**SB 252 (Pr. No. 1414)**

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for filling vacancies on certain boards of school directors, for group insurance contracts and for property tax assessments in certain school districts; providing for business administrators; further providing for the duties of the State Board of Education; further providing for an economic supplement; further defining "personal income valuation" and "market value/income aid ratio" to expand tax credits for income earned out-of-State; further providing for subsidies; providing for equipment grants; and making editorial changes.

**SB 280 (Pr. No. 1412) (Amended)**

An Act providing for the regulation of storage tanks and tank facilities; imposing additional powers and duties on the Department of Environmental Resources and the Environmental Quality Board; and making an appropriation.

**SB 283 (Pr. No. 1328)**

An Act banning the sale and use of certain leaded materials in plumbing systems; requiring water suppliers to provide public notification relating to lead contamination in drinking water and imposing powers and duties on the Department of Environmental Resources in relation thereto; and providing penalties.

**SB 910 (Pr. No. 1415)**

An Act amending the act of October 21, 1988 (P. L. 851, No. 113), entitled "Capital Budget Project Itemization Act for 1987-1988," adding projects; further providing for certain highway projects; moving certain projects to the correct categories; and making repeals.

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

**BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS AS AMENDED**

**SENATE CONCURS IN HOUSE AMENDMENTS  
AS AMENDED BY THE SENATE**

**SB 280 (Pr. No. 1412)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the regulation of storage tanks and tank facilities; imposing additional powers and duties on the Department of Environmental Resources and the Environmental Quality Board; and making an appropriation.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House as amended by the Senate to Senate Bill No. 280.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**BILLS ON CONCURRENCE IN  
HOUSE AMENDMENTS**

**SENATE NONCONCURS IN HOUSE AMENDMENTS**

**SB 252 (Pr. No. 1364)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for group insurance contracts; further providing for property tax assessment in certain school districts; further providing for submission of budgets by intermediate units; providing for the use of certain returned funds; and providing for business administrators.

Senator LOEPER. Mr. President, I move the Senate do nonconcur in the amendments made by the House to Senate Bill No. 252, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 283 (Pr. No. 1328)** — The Senate proceeded to consideration of the bill, entitled:

An Act banning the sale and use of certain leaded materials in plumbing systems; requiring water suppliers to provide public notification relating to lead contamination in drinking water and imposing powers and duties on the Department of Environmental Resources in relation thereto; and providing penalties.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 283.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

## SENATE NONCONCURS IN HOUSE AMENDMENTS

**SB 910 (Pr. No. 1398)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Treasury Department out of various funds for payment of general obligation debt service.

Senator LOEPER. Mr. President, I move the Senate do not concur in the amendments made by the House to Senate Bill No. 910, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

## THIRD CONSIDERATION CALENDAR

### NONPREFERRED APPROPRIATION BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY

**HB 1479** — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

## CONSIDERATION OF CALENDAR RESUMED

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

## SENATE NONCONCURS IN HOUSE AMENDMENTS AS AMENDED BY THE SENATE

**SB 274 (Pr. No. 1408)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the Catastrophic Loss Benefits Continuation Fund for payment of certain catastrophic loss benefits; providing for surcharges for certain offenses to provide moneys for the fund; and further providing for conditions of permits.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House as amended by the Senate to Senate Bill No. 274.

On the question,

Will the Senate agree to the motion?

Senator LOEPER. Mr. President, for the information of the Members, Senate Bill No. 274 is the bill which would provide for the payment of surcharges for certain offenses to provide monies for the Catastrophic Loss Fund. I would ask for a roll call vote on the bill.

Senator STOUT. Mr. President, I rise to bring to the attention of the Membership what is included now in Senate Bill No. 274. As the prime sponsor of Senate Bill No. 274, it dealt with an issue of displaying trucking permits, but was amended in the House Appropriations Committee earlier this week to insert surcharges for the funding of the deficit in the Catastrophic Loss Fund. It is truly a classic case where the chickens have now come home to roost at the tune of approximately \$34 million a year for the next twenty years.

This Body has spent the better part of this week dealing with the issue of automobile insurance, the accessibility of

automobile insurance and the funding of automobile insurance, and with the passage of two bills last night we have still not solved that problem, I am sure, to the satisfaction of our constituents. But I think every Member should take a look at what is in Senate Bill No. 274 with the addition of surcharges, these surcharges being placed upon motor vehicle violations.

The big money-maker included in this bill is an addition of \$30, \$40 and \$50 to a citation for a speeding violation. Currently the base fine is \$35 for a speeding violation at which, once you exceed six miles, from there on it is an additional \$2.00 per mile. To that we have added the \$10 EMS funding mechanism and \$17.50 for costs. That makes a ticket of ten miles over the speed limit \$72. With the passage of Senate Bill No. 274 as it is before us now, it would increase that by \$30 to \$102.50. We are rapidly reaching the point where it is confiscatory, and we are actually taking away from many of our constituents the ability to own and operate a motor vehicle. We have had many figures quoted here this week on the high cost of automobile insurance, and now we are adding to this significant increases in motor vehicle violations. On top of this is a \$30 level. At other speeds of sixteen miles, there would be a \$40 increase plus many other additional surcharges placed into that.

Truly I feel the dip is unfair. I had looked into trying to offer an amendment to this that would transfer that funding, I feel, in a more fair and equitable way, which would be a one cent per gallon gasoline tax, which would produce about \$52 million a year to address the deficit more fairly and to spread the burden of that. I have been advised that that, undoubtedly, would be declared unconstitutional, but I feel that this is an unfair way.

Currently we have about \$47 million in the Catastrophic Loss Trust Fund. Its earnings on interest would be approximately \$2 million. There is money in there to carry the fund for some period of time. When we are adding this additional revenue at the \$34 million per year estimated to meet the need of that obligation to the CAT Fund, I think we are going to run into more difficulty down the road. A lot of the fines, as you know, can be paid in installment plans. When you get these fines as high as \$102.50, you are going to find a lot of your constituents are going to have to make their payments on installment plans. So this money is not all going to roll into the coffers of state government to fund the deficit. It is truly, as I mentioned earlier, a case where this General Assembly over the years, be it no-fault insurance, Catastrophic Fund, which was really unrealistic at the time this General Assembly passed it, and now we are really seeing the chickens come home to roost at the tune of \$34 million a year and many of your constituents are going to suffer in trying to pay. Even other violations, stop signs, and so forth, are going to have an additional \$30 added to this fine. It is going to be difficult to collect and be really an unfair burden on many workingmen and women who have to use their automobiles to go out and make a living. They do not have the luxury of having public or mass transit within their area. They are totally dependent on their car, and we are getting this increased \$30 surcharge to go

on literally for the next twenty years to fund this. I urge a "no" vote until we can come up with a fair and equal way to distribute the cost of bailing us out of the CAT Fund deficit. I assure you that you better take a close look at what is in Senate Bill No. 274.

#### LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Fumo, Senator Lincoln, Senator Ross, Senator Scanlon and Senator Williams.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Fumo, Senator Lincoln, Senator Ross, Senator Scanlon and Senator Williams. The Chair hears no objection. Those leaves will be granted.

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

Senator MELLOW. Mr. President, just very briefly on Senate Bill No. 274, I have had the opportunity of listening to the comments by the gentleman from Washington, Senator Stout, and I realize that there is a lot of merit to the comments that have been made. Unfortunately, Mr. President, we are in a problem with the Catastrophic Loss Fund and the continuation of the funding of those particular people who need the benefits, and the tremendous amount of deficit that is in the Catastrophic Loss Fund. This appears, Mr. President, to be the only fair and equitable way of trying to minimize the effect on the taxpayer, yet meet the obligation that we have to pay off an unfunded liability, and I would request an affirmative vote on Senate Bill No. 274.

Senator AFFLERBACH. Mr. President, I wish to commend the gentleman from Washington, Senator Stout, for bringing to the attention of this Body precisely what is in this bill and the mechanism that has been employed. While I would be the first to agree that we need to meet our responsibility in funding the unfunded liability of the CAT Fund, I do not believe that a hasty solution passed at the last moments of this Session is the proper way to do it. Furthermore, when one begins to add up all of the excess fees and surcharges that are presently levied on certain violations as enumerated in this bill, one begins to see that the add-ons are more than the fines themselves. I think there is something seriously askew with any system of justice that allows the add-ons to become more expensive than the fine for the penalty. I would join Senator Stout in urging a "no" vote on this bill.

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

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

#### YEAS—15

Andrezeski	Fumo	Lynch	Scanlon
Bodack	Jubelirer	Mellow	Stapleton
Dawida	Lincoln	Musto	Williams
Fattah	Loeper	Ross	

#### NAYS—34

Afflerbach	Greenwood	Pecora	Salvatore
Armstrong	Hess	Peterson	Shaffer
Baker	Holl	Porterfield	Shumaker
Belan	Hopper	Punt	Stewart
Bell	Jones	Regoli	Stout
Brightbill	Lemmond	Reibman	Tilghman
Corman	Lewis	Rhoades	Wenger
Fisher	Madigan	Rocks	Wilt
Greenleaf	O'Pake		

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

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

#### RECONSIDERATION OF SB 274

##### BILL OVER IN ORDER TEMPORARILY

Senator MELLOW. Mr. President, I move to reconsider the vote by which the Senate did nonconcur in House amendments as amended by the Senate to Senate Bill No. 274, Printer's No. 1408.

The motion was agreed to.

And the question recurring,  
Will the Senate concur in House amendments as amended by the Senate to Senate Bill No. 274?

Senator MELLOW. Mr. President, I request that Senate Bill No. 274 go over in its order temporarily.

The PRESIDENT. Without objection, Senate Bill No. 274 will go over in its order temporarily.

#### HB 52 CALLED UP OUT OF ORDER

**HB 52 (Pr. No. 2259)** — Without objection, the bill was called up out of order, from page 10 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

##### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 52 (Pr. No. 2259)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," further providing for the Advisory Committee; further providing for the approval of certain plans, for permits, for the powers and duties of local agencies, the certification board, the Environmental Quality Board and the department; and reestablishing the State Board for Certification of Sewage Enforcement Officers pursuant to the Sunset Act.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

## YEAS—48

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

## NAYS—1

Tilghman

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

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

**HB 1687 CALLED UP OUT OF ORDER**

**HB 1687 (Pr. No. 2322)** — Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 1687 (Pr. No. 2322)** — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating and transferring amounts from the State Workmen's Insurance Fund to the Treasury Department.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

Senator PETERSON. Mr. President, I rise to oppose the passage of House Bill No. 1687. This is a bill that will allow us to take additional funds out of SWIF, the State Workmen's Insurance Fund. That is a fund where people who cannot buy insurance through the normal process on the public market are forced to purchase it through the state program that was created for them. They pay the highest rates possible by law, and it is very expensive for most of our small businesses. We ought to take a look at who has built this fund. I went through the listings of the eight counties that I serve and who is in it. Very predominant were small trucking companies, home health care agencies, local governments, fire, police, volunteer ambulance and fire companies, loggers, sawmills, nursing and boarding homes, oil and gas productions, small manufacturers, carpenters, small contractors, foundries, restaurants, sheltered workshops, dairy farmers, unions, colleges and

schools. The heart and blood of our small communities pay these highest rates in the state and have built this fund. This fund does not allow money to be taken out, only if we pass a law to take it out. I wonder what the reaction would be if we were going to take it out of the teachers' pension fund, which would be a similar dedicated fund, or the state employees' pension fund, the UC Fund, the game or fish fund. It would be no different. We could pass a law, and we could do that, but what would our constituents say? There are 20,000 policyholders in this fund. I think it is the cruelest tax increase on those 20,000 people that has ever been passed by the General Assembly. On April 11, 1988, Governor Casey said, "I promised when I ran for Governor that I would not increase state taxes and I intend to keep the pledge to the people who elected me." Just earlier this year, on the 24th of January, he said, "Today my central message to the people is that we are meeting the challenges we face, but we are not increasing your taxes to do it." I believe the 20,000 small businesses that are struggling in our rural communities and all over this Commonwealth would say that is the stiffest tax increase they have ever paid, and they would ask you to vote "no."

Senator BELL. Mr. President, I am insured in the SWIF Fund for household employees. I could not get insurance any place else. Am I eligible to vote?

The PRESIDENT. The Chair would indicate that he is a member of a class of individuals and, therefore, not only eligible but encouraged to vote.

Senator BELL. Thank you, Mr. President.

Senator HOLL. Mr. President, those of us who have taken a good look at this legislation come up with one conclusion: It will have the most devastating effect on the small businessman and the small entrepreneur that we have seen in recent years in Pennsylvania.

Senator LOEPER. Mr. President, I would ask for an "aye" vote on House Bill No. 1687.

The PRESIDENT. The Chair, once again, would inform all Members who may be listening in their offices that we are about to take a roll call vote. It would help the proceedings if you are here when your name is called.

Senator MELLOW. Mr. President, I would also join with the Majority Leader and ask for an "aye" vote on House Bill No. 1687.

**LEGISLATIVE LEAVE**

Senator MELLOW. Mr. President, I request temporary Capitol leave for Senator Lynch.

The PRESIDENT. Senator Mellow requests temporary Capitol leave for Senator Lynch. The Chair hears no objection. That leave will be granted.

And the question recurring,  
Shall the bill pass finally?

(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 PECORA. Mr. President, I would like to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

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

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—32**

Afflerbach	Fumo	Lynch	Scanlon
Andrezeski	Hess	Mellow	Stapleton
Belan	Jones	Musto	Stewart
Bodack	Jubelirer	O'Pake	Stout
Brightbill	Lemmond	Porterfield	Tilghman
Dawida	Lewis	Regoli	Wenger
Fattah	Lincoln	Reibman	Williams
Fisher	Loeper	Ross	Wilt

**NAYS—17**

Armstrong	Greenwood	Pecora	Rocks
Baker	Holl	Peterson	Salvatore
Bell	Hopper	Punt	Shaffer
Corman	Madigan	Rhoades	Shumaker
Greenleaf			

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

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

**HB 22 CALLED UP OUT OF ORDER**

**HB 22 (Pr. No. 2301)** — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 22 (Pr. No. 2301)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 561, No. 112), known as the "Pennsylvania Conservation Corps Act," further providing for educational opportunities, ability assessments, and terms of employment for corpsmembers; for the wages of corpsmembers and crewleaders; for corpsmember exchanges, annual reports, coordination with Job Training Partnership Act, and local conservation corps incubators; for program funding; and for the expiration of the act.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 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.

**THIRD CONSIDERATION CALENDAR**

**BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY**

**HB 110** — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

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

**SB 1065** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY**

**HB 1198** — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

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

**HB 1293 (Pr. No. 2302)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," defining employee-owned enterprises; regulating technical assistance, financial assistance and program administration; further providing for the final date for approvals; and making repeals.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 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 REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AMENDED**

**HB 1429 (Pr. No. 2303)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for increased fees and additional fees for the Department of Labor and Industry; further providing for the reestablishment, administration and operation of the State Planning Board; and further providing for no-bid contracts and for certain purchases in the open market by increasing the cost of such purchases.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER, by unanimous consent, offered the following amendment No. A2662:

Amend Title, page 1, line 22, by removing the period after "Industry" and inserting: ; and providing for special State duty for the Pennsylvania National Guard and the pay for enlisted personnel performing Federally funded duty.

Amend Bill, page 12, by inserting between lines 6 and 7:

Section 2. The act is amended by adding sections to read:

Section 1415. Use of Pennsylvania National Guard for Special State Duty.—(a) The Governor may place, or delegate authority to the Adjutant General to order, any volunteer member of the Pennsylvania National Guard or, when unavailable due to call or order into the service of the United States, any member of the Pennsylvania Guard on special State duty to respond to community needs, support Commonwealth functions and ceremonies, participate in courts-martial and board functions, support Federal, State and local drug eradication and interdiction operations and perform other necessary military duties to the extent that funds are appropriated and available for special State duty.

(b) Whenever members of the Pennsylvania National Guard or Pennsylvania Guard are ordered to special State duty in support of Federal, State and local drug operations, the Governor shall annually, by April 1, submit a report to the General Assembly setting forth the types of drug operations performed, the number and types of personnel involved, types of equipment and systems utilized, and any problems encountered in matters of

jurisdiction, command and control, hostile encounters, and operation approval procedures. The report shall include a breakdown of support provided in the normal course of training and support substantially equivalent to training.

(c) Special State duty shall not be provided if the provision of such support will adversely affect the ability of the Pennsylvania National Guard or Pennsylvania Guard to perform its primary military preparedness missions.

(d) In addition to the powers and duties of the Adjutant General pursuant to Title 51 of the Pennsylvania Consolidated Statutes (relating to military), the Adjutant General is hereby authorized and directed to order members of the Pennsylvania National Guard to special State duty under subsection (a).

(e) Officers and enlisted personnel ordered on special State duty for which pay is authorized under the order prescribing the performance thereof shall receive the pay and allowances of their respective grades during the time they may continue upon duty under such order. The pay authorized by this subsection shall not be less than \$45 per day.

(f) "Special State duty" means State military duty by the Pennsylvania military forces as authorized by this section. The term does not include active State duty authorized by 51 Pa.C.S. § 508 (relating to active State duty for emergency) or duty authorized and funded under Title 10 of the United States Code (relating to Armed Forces) and Title 32 of the United States Code (relating to National Guard).

Section 1416. Supplemental Pay for Enlisted Personnel Performing Federally Funded Duty.—Whenever any member of the Pennsylvania National Guard is ordered to federally funded duty under Title 32 of the United States Code (relating to National Guard) for the purpose of drug eradication or interdiction within this Commonwealth, the Adjutant General shall be authorized, to the extent that Commonwealth funds are appropriated and available for such purpose, to supplement the Federal pay and allowances of such personnel so that it is not less than \$45 per day.

Amend Sec. 2, page 12, line 7, by striking out "2" and inserting: 3

Amend Bill, page 12, line 20, by striking out all of said line and inserting:

Section 4. This act shall take effect as follows:

(1) Section 2 (sections 1415 and 1416) shall take effect immediately.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**BILL REREPORTED FROM COMMITTEE AS AMENDED**

**HB 1700 (Pr. No. 2323)** — The Senate proceeded to consideration of the bill, entitled:

An act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," providing for grants to be made for industrial site development projects.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator STEWART, by unanimous consent, offered the following amendment No. A2666:

Amend Sec. 2 (Sec. 4.1), page 4, lines 22 and 23, by striking out “\$1,000,000 NOR A TOTAL OF \$2,000,000” in line 22, all of line 23 and inserting: \$1,500,000.

On the question,

Will the Senate agree to the amendment?

Senator STEWART. Mr. President, House Bill No. 1700 and the one to follow, House Bill No. 1701, are what are known as the Steel Valleys’ initiatives. The amendment affects the section that indicates the amount of the grant that is allowed to be awarded under the program. The budget process, as we know, and the negotiations, have a great deal to do with that section. Now that those are pretty much complete, what this amendment does is it brings that amount into line with what has been negotiated in the budget. It takes it from the current \$1 million per project as listed in the bill and raises it to a maximum of \$1.5 million per project. I would urge everyone interested in the Steel Valleys’ legislation to cast an affirmative vote.

Senator SHAFFER. Mr. President, I rise to oppose the gentleman’s amendment. There is only a \$5 million appropriation in this legislation, and the bill as currently written, actually as was amended, provides that no one project be entitled to more than \$1 million per unit, that is to say that over a period of a lifetime one particular project may not absorb all these funds. The reason for the opposition to the amendment and why I prefer, Mr. President, that the \$1 million be retained is that we have across this Commonwealth literally hundreds of sites that need work, and what we are seeking to prohibit by the limitation of \$1 million per site is this Governor or this Secretary of Commerce, or the next Governor or the next Secretary of Commerce, from taking on a particular pet project and using virtually all these funds year in and year out for one project to the exclusion of the dozens and, indeed, the hundreds of other eligible projects. For that reason, Mr. President, I ask for a “no” vote on the amendment.

Senator STEWART. Mr. President, very briefly again, this section of the bill is clearly a function of what has been going on in the budget negotiations that has been worked out. This figure is what the Department of Commerce needs to implement this program, and I would again ask everyone who is interested in the Steel Valleys’ legislation and its implementation to support the amendment.

And the question recurring,

Will the Senate agree to the amendment?

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

Senator GREENLEAF. Mr. President, I would like to change my vote from “aye” to “no.”

The PRESIDENT. The gentleman will be so recorded.

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

#### YEAS—23

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

#### NAYS—26

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

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

#### RECONSIDERATION OF AMENDMENT NO. 2666 TO HB 1700

##### BILL OVER IN ORDER TEMPORARILY

Senator STEWART. Mr. President, I move the Senate do now reconsider the vote by which Amendment No. 2666 to House Bill No. 1700 just failed passage.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

Senator STEWART. Mr. President, I request that House Bill No. 1700 go over in its order temporarily.

The PRESIDENT. Without objection, the bill will go over in its order temporarily.

#### BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY

**HB 1701** — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

#### PREFERRED APPROPRIATION BILL OVER IN ORDER

**HB 1519** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### SB 104 CALLED UP OUT OF ORDER

**SB 104 (Pr. No. 1330)** — Without objection, the bill was called up out of order, from page 11 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

#### BILL OVER IN ORDER

**SB 104** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 139 (Pr. No. 2155)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the “Solid Waste Management Act,” further providing for powers and duties of the department; and providing for the beneficial use or reclamation of municipal and residual waste.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**BILL RECOMMENDED**

**HB 200 (Pr. No. 226)** — The Senate proceeded to consideration of the bill, entitled:

An Act declaring and adopting the song "Pennsylvania," lyrics and music by Eddie Khoury and Ronnie Bonner, as the State song of the Commonwealth of Pennsylvania.

Upon motion of Senator LOEPER, and agreed to, the bill was recommitted to the Committee on State Government.

**BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 222 (Pr. No. 2112)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services and the General State Authority, with the approval of the Governor, to convey to Westmoreland County a tract of land situate in Hempfield Township, Westmoreland County.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 355 (Pr. No. 1362)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), entitled "The Controlled Substance, Drug, Device and Cosmetic Act," providing that a conviction for any violation involving possession or delivery of a controlled substance will result in a mandatory driver's license suspension.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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.

**SB 401 (Pr. No. 414)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of aggravated assault.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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.

**SB 559 (Pr. No. 597)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing civil immunity for assistance upon request involving hazardous substances.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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.

**SB 626 (Pr. No. 1313)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," further providing for examination of books, etc., by expert accountants; and making an appropriation.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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.

**SB 1001 (Pr. No. 1363)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 27, 1965 (P. L. 1237, No. 502), entitled "An act establishing regional correctional facilities administered by the Bureau of Correction as part of the State correctional system;....," further providing for the confinement of certain persons in regional correctional facilities.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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.

**HB 1086 (Pr. No. 2219)** — The Senate proceeded to consideration of the bill, entitled:

An Act recognizing the Pennsylvania College of Technology as an affiliate of The Pennsylvania State University; granting to the Pennsylvania College of Technology the benefits and obligations of the status of The Pennsylvania State University as a State-related university and an instrumentality of the Commonwealth; providing for the powers, duties, rights and obligations of the college; and providing for the college to assume the functions of The Williamsport Area Community College.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 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.

**SB 1136 (Pr. No. 1385)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), entitled "State Lottery Law," providing that there shall be no drawings or selections of winning tickets on Sundays.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator DAWIDA. Mr. President, I think it fair to point out that the gentleman from Lehigh, Senator Afflerbach, introduced this same bill a month ago and it did not get anywhere. I want to mention that fact because sometimes things like that get lost in the shuffle on the Senate floor. He had the presence of mind to think of this thought a month ago. That being said, I think we ought to vote against this bill. I think that the lottery is so important to the senior citizens of this Commonwealth and the programs that are supported by the lottery that the Sunday sales is an important element of it and I urge a "no" vote.

Senator AFFLERBACH. Mr. President, it has been written that the greatest form of praise is that of emulation, and I congratulate the gentleman from Perry, Senator Punt, for having emulated my previous action a month earlier in having introduced this bill. Frankly, I am not concerned about whether my bill or his bill moves. I think this is something that needs to be done. I think we should support the bill and I would urge a "yes" vote.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

On the question,

Shall the bill pass finally?

Senator ANDREZESKI. Mr. President, I would like to point out that throughout Pennsylvania on Sunday you have a lot of bingo games. You now have a small games of chance bill which, at a lot of the clubs, Sunday is their big day. They will be able to have legalized small games of chance gambling. Finally, the Lottery Fund is used exclusively for senior citizens. I think that we can give advisory messages and resolutions on the lottery, but I think when we start giving them their work hours, perhaps we protest a bit too much. I would like to urge a negative vote on this.

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—32**

Afflerbach	Hess	Pecora	Salvatore
Armstrong	Holl	Peterson	Shaffer
Baker	Hopper	Porterfield	Shumaker
Bell	Jubelirer	Punt	Stapleton
Brightbill	Lemmond	Regoli	Stout
Corman	Loeper	Reibman	Tilghman
Fattah	Madigan	Rhoades	Wenger
Greenleaf	O'Pake	Rocks	Wilt

**NAYS—17**

Andrezeski	Fumo	Lincoln	Ross
Belan	Greenwood	Lynch	Scanlon
Bodack	Jones	Mellow	Stewart
Dawida	Lewis	Musto	Williams
Fisher			

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.

**HB 1299 (Pr. No. 1628)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," further providing for rates, service charges, fees and contracts; requiring plain language; providing for retroactive application; and making repeals.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

LEGISLATIVE LEAVES

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

The PRESIDENT. Senator Mellow asks temporary Capitol leaves for Senator Belan and Senator Bodack. The Chair hears no objection. Those leaves will be granted.

And the question recurring,  
Shall the bill pass finally?

Senator MELLOW. Mr. President, also, just for the information of the Members so that they can recall, House Bill No. 1299 deals with installment sales and the interest charge on installment sales from 15 percent to 18 percent and the discussions that have taken place over the years on that. I would just like to bring it to the attention of the Members so they realize that House Bill No. 1299 is a bill that might be a bit controversial.

Senator ANDREZESKI. Mr. President, on House Bill No. 1299, I think it is important to point out that it also includes again the limitations on rent-to-own companies in Pennsylvania. It also requires them to charge 18 percent interest instead of 200 percent interest.

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—45

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

NAYS—4

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

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

**HB 1302 (Pr. No. 1505)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the "Engineering School Equipment Act," further providing for acquisition and upgrading of equipment and for the expiration of the act.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1323 (Pr. No. 1531)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for conditions for grants and loans; and for the expiration of the act.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1392 (Pr. No. 2138)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1986 (P. L. 1263, No. 116), known as the "Community Services Act," further providing for community action agencies and the board, for funding eligibility for block grants, for apportionment of appropriations, and for monitoring and remedies for block grant contracts; and extending the sunset provision.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1450 (Pr. No. 2195)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Philadelphia Regional Port Authority and providing for its powers and duties.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1529 (Pr. No. 1790)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth to participate in the Great Lakes Protection Fund.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1573 (Pr. No. 2227)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 13, 1915 (P. L. 286, No. 177), known as the "Child Labor Law," further providing for agricultural exemptions; providing for certain minors employed by summer resident camps, conferences and retreats; and permitting persons 14 years of age or older to engage in certain employment in bowling centers.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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



YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1694 (Pr. No. 2226)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1986 (P. L. 1585, No. 174), known as the "Private Licensed Schools Act," creating a special fund to serve as repository for license fees authorized by the act.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER AND FINAL PASSAGE

**HB 1740 (Pr. No. 2265)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 1989-1990.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator LOEPER. Mr. President, I would move to revert to the prior Printer's Number on House Bill No. 1740 to Printer's No. 2128.

The PRESIDENT. On House Bill No. 1740, page 14 of today's Calendar, Senator Loeper moves that we revert to prior Printer's No. 2128.

On the question,

Will the Senate agree to the motion?

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

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

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

The PRESIDENT. The Senate has before it House Bill No. 1740, Printer's No. 2128.

On the question,

Will the Senate agree to the bill on third consideration?

It was agreed to.

On the question,

Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**RECONSIDERATION OF HB 1299**

**BILL ON FINAL PASSAGE**

**HB 1299 (Pr. No. 1628)** — Senator LOEPER. Mr. President, I move the Senate do now reconsider the vote by which House Bill No. 1299, Printer's No. 1628, just passed finally.

The PRESIDENT. The Chair wishes to inform the Majority Leader that the bill is not in our possession. Therefore, the Chair cannot accommodate the request on the motion to reconsider.

The Senate will be at ease.  
(The Senate was at ease.)

The PRESIDENT. The Chair wishes to advise the Majority Leader that due to the stellar work of the Secretary of the Senate, we have been able to recapture the bill. The gentleman moves that the vote by which House Bill No. 1299 passed be reconsidered.

The motion was agreed to.

And the question recurring,  
Shall the bill pass finally?

Senator MELLOW. Mr. President, just to reiterate what I stated earlier and perhaps because of the length of the Calendar, we were not 100 percent certain as to what was being considered. This particular proposal has in the past been a bit controversial. It deals with installment rates of interest, and what it basically deals with is the 15 percent versus the 18 percent. It is something that we should pay a little special attention to as opposed to just taking a fast roll call, because some Members may, in fact, want to be recorded as voting "no" on House Bill No. 1299.

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—38**

Afflerbach	Holl	Mellow	Scanlon
Andrezski	Hopper	Musto	Shaffer
Armstrong	Jones	O'Pake	Shumaker
Baker	Jubelirer	Peterson	Stapleton
Brightbill	Lemmond	Punt	Stewart
Corman	Lewis	Reibman	Tilghman
Fisher	Lincoln	Rocks	Wenger
Fumo	Loeper	Ross	Williams
Greenwood	Lynch	Salvatore	Wilt
Hess	Madigan		

**NAYS—11**

Belan	Dawida	Pecora	Rhoades
Bell	Fattah	Porterfield	Stout
Bodack	Greenleaf	Regoli	

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

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

**SECOND CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**HB 331, SB 473, 474, 902 and 1140** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

**SENATE RESOLUTION**

**MEMORIALIZING THE GOVERNOR TO PROCLAIM THE WEEK OF SEPTEMBER 24, 1989, AS "NATIONAL HEALTH AGENCIES WEEK"**

Senators BRIGHTBILL, PETERSON, AFFLERBACH, REIBMAN and BAKER offered the following resolution (Senate Concurrent Resolution No. 95), which was read as follows:

In the Senate, June 30, 1989.

**A CONCURRENT RESOLUTION**

Memorializing the Governor to proclaim the week of September 24, 1989, as "National Health Agencies Week."

WHEREAS, The National Health Agencies is a consortium of charitable health organizations dedicated to research for cures for, and prevention of, devastating diseases and to education about those diseases; and

WHEREAS, Member organizations of the National Health Agencies do work ranging from studies on the origin and course of diseases to the development and testing of diagnostic techniques and therapies; and

WHEREAS, The citizens of this Commonwealth benefit directly from the efforts of the member organizations of the National Health Agencies; and

WHEREAS, There should be some recognition of these benefits and efforts; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly memorialize the Governor to proclaim the week of September 24, 1989, as "National Health Agencies Week"; and be it further

RESOLVED, That copies of this resolution be transmitted to the Governor and to the National Health Agencies.

Senator BRIGHTBILL asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,  
Will the Senate adopt the resolution?

**SENATE CONCURRENT RESOLUTION NO. 95, ADOPTED**

Senator BRIGHTBILL. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution No. 95.

The motion was agreed to and the resolution was adopted.

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

**DISCHARGE PETITIONS**

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

In the Senate, June 30, 1989.

## A PETITION

To place before the Senate the nomination of Anne d'Harnoncourt Rishel as a member of the Commonwealth of Pennsylvania Council on the Arts.

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 Anne d'Harnoncourt Rishel, Philadelphia, Pennsylvania, as a member of the Commonwealth of Pennsylvania Council on the Arts, 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, June 30, 1989.

## A PETITION

To place before the Senate the nomination of Elizabeth H. Kury, Esquire, as a member of the State Civil Service 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 Elizabeth H. Kury, Esquire, Harrisburg, Pennsylvania, as a member of the State Civil Service 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, June 30, 1989.

## A PETITION

To place before the Senate the nomination of Jacqueline M. Carroll as Judge of the Court of Common Pleas of Chester 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 Jacqueline M. Carroll, West Chester, Pennsylvania, as Judge of the Court of Common Pleas of Chester 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, June 30, 1989.

## A PETITION

To place before the Senate the nomination of Richard L. Trumka as a member of the Board of Trustees of the Pennsylvania State University.

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 Richard L. Trumka, Nemaquin, Pennsylvania, as a member of the Board of Trustees of the Pennsylvania State University, 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.

## HOUSE MESSAGE

**HOUSE INSISTS UPON ITS AMENDMENTS  
NONCONCURRED IN BY THE SENATE  
TO SB 253, AND APPOINTS  
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 253**, and has appointed Messrs. COWELL, BATTISTO and HAYES as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**COMMITTEE OF CONFERENCE  
APPOINTED ON SB 252**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators HESS, LOEPER and MELLOW as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 252.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON SB 253**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators HESS, RHOADES and REIBMAN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 253.

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

### COMMITTEE OF CONFERENCE APPOINTED ON SB 910

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, LOEPER and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 910.

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

### COMMUNICATIONS FROM THE GOVERNOR

#### APPROVAL OF SENATE BILLS

The PRESIDENT laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bills had been approved and signed by the Governor:

**SB 842 and 1093.**

#### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

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

#### MEMBER OF THE STATE BOARD OF OPTOMETRY

June 30, 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, Richard Cullinan, O.D., 100 Woodshire Drive, Pittsburgh 15215, Allegheny County, Forty-fourth 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 Robert A. Ginsburg, O.D., Hatboro, whose term expired.

ROBERT P. CASEY.

### GENERAL COMMUNICATION

#### LISTS OF LOBBYISTS AND ORGANIZATIONS

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

#### SENATE OF PENNSYLVANIA

June 30, 1989

To the Honorable, the Senate of the Commonwealth of Pennsylvania  
To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from June 1, 1989 through June 30, 1989 inclusive, for the 173rd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:

MARK R. CORRIGAN  
Secretary  
Senate of Pennsylvania

JOHN J. ZUBECK  
Chief Clerk  
House of Representatives

(See Appendix for complete list.)

### APPOINTMENTS BY PRESIDENT PRO TEMPORE

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

Senator Albert V. Belan as a member of the Pennsylvania Veterans' Memorial Commission to fill the vacancy on the Commission caused by the resignation of Senator Francis J. Lynch.

Senator Chaka Fattah, Senator J. William Lincoln and Senator Jeanette F. Reibman to serve as members of the Board of Directors of the Pennsylvania Higher Education Assistance Agency.

### BILL SIGNED

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

**SB 283.**

### 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.

The Clerk read the nominations as follows:

#### MEMBER OF THE STATE BOARD OF ACCOUNTANCY

June 12, 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 W. Bieber (Public Member), 510 Lockheed Avenue, Reading 19601, Berks County, Eleventh Senatorial District, for appointment as a member of the State Board of Accountancy, 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 Katherine S. Pliscolf, Butler, resigned.

ROBERT P. CASEY.  
MEMBER OF THE CHILDREN'S  
TRUST FUND BOARD

June 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, Donna R. Bennett, R. D. 4, Box 48, Franklin Road, Towanda 18848, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Children's Trust Fund Board, to serve for a term of two years, and until her successor is appointed and qualified, pursuant to Act 151, approved December 15, 1988.

ROBERT P. CASEY.  
MEMBER OF THE CHILDREN'S  
TRUST FUND BOARD

June 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, Susan Kelly-Dreiss, 906 Front Street, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Children's Trust Fund Board, to serve for a term of one year, and until her successor is appointed and qualified, pursuant to Act 151, approved December 15, 1988.

ROBERT P. CASEY.  
MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION

April 20, 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, Lauren K. Baughman, 926 West 29th Street, Erie 16508, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1993, or until her successor is appointed and qualified, vice John P. Wisniewski, Pittsburgh, deceased.

ROBERT P. CASEY.  
MEMBER OF THE COUNCIL OF TRUSTEES  
OF KUTZTOWN UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, James E. Henderson, Ed.D., 1403 College Avenue, Reading 19604, Berks County, Eleventh Senatorial District, for appointment as a member of the Council of Trustees of Kutztown 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 Alfred L. Huff, Fleetwood, whose term expired.

ROBERT P. CASEY.  
MEMBER OF THE COUNCIL OF TRUSTEES  
OF KUTZTOWN UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

June 12, 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, Sara R. Mack, 44A South Elm Street, Kutztown 19530, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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.

ROBERT P. CASEY.  
MEMBER OF THE COUNCIL OF TRUSTEES  
OF KUTZTOWN UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, The Reverend Frank McCracken, 1716 North Third Street, Reading 19601, Berks County, Eleventh Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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 KUTZTOWN UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Dolores W. Siegel, 1120 North Broad Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Joan T. Chew, 216 Center Avenue, Butler 16001, Butler County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock 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.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Margaret DeMucci, 259 East Fulton Street, Butler 16001, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock 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 Sandra McKnight, Slippery Rock, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

May 2, 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, Beverly Ann Linn, 140 Heather Drive, Butler 16001, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock 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 Jack R. Arthurs, Carlisle, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Peter J. Oesterling, R. D. 1, Box 103, Shabbona Grove Road, Shabbona, Illinois 60550, for appointment as a member of the Council of Trustees of Slippery Rock 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 John A. Beck, Jr., Chicora, resigned.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Mabel R. Paige, Ph.D., R. D. 5, Box 600, Neshannock Hills, New Castle 16105, Lawrence County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock 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 James V. Perry, Grove City, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES  
OF SLIPPERY ROCK UNIVERSITY OF  
PENNSYLVANIA OF THE STATE SYSTEM  
OF HIGHER EDUCATION

April 28, 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, Charlotte H. Shapiro, Ph.D., Apartment 5-G, Chatham Center Tower, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock 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.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES  
OF SOMERSET STATE HOSPITAL

May 22, 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, Linda Jo Berkey, R. D. #1, Box 46, Cairnbrook 15924, Somerset County, Thirty-second Senatorial District, for appointment as a member of the Board of Trustees of Somerset State Hospital, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice Daniel Kaltenbaugh, Johnstown, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

May 22, 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, Comfrey S. Ickes, Jr., 415 Main Street, Boswell 15531, Somerset County, Thirty-second Senatorial District, for reappointment as a member of the Board of Trustees of Somerset State Hospital, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

June 7, 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, Edwin K. Galbreath, Jr., R. D. 3, Box 146, Kingswood Road, New Castle 16105, Lawrence County, Twenty-first Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for 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 VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

May 30, 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, Jay S. Masi, 515 Kahkwa Boulevard, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until April 6, 1991, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ernest J. Nigrelli, Pittsburgh, resigned.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

June 5, 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, Barry J. Halbritter (Republican), R. D. 2, Box 282, Altoona 16601, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1989, and until his successor is appointed and qualified, vice Isabella Turchetta, Altoona, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

June 5, 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, Joseph Ramsey (Republican), 901 Lawrence Drive, Duncansville 16635, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1991, and until his successor is appointed and qualified, vice Charlotte Morris, Altoona, whose term expired.

ROBERT P. CASEY.

DISTRICT JUSTICE

June 5, 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, Robert P. Ravenstahl, Jr., 24 Radium Street, Pittsburgh 15214, Allegheny County, Forty-second Senatorial District, for appointment as District Justice in and for the County of Allegheny, Magisterial District 5-2-42, to serve until the first Monday of January, 1992, vice Bernard J. Regan, resigned.

ROBERT P. CASEY.

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

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

YEAS—49

Table with 4 columns of names: Afflerbach, Andrezeski, Armstrong, Baker, Belan, Bell, Bodack, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Hess, Holl, Hopper, Jones, Jubelirer, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Regoli, Reibman, Rhoades, Rocks, Ross, Salvatore, Scanlon, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams, Wilt.

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.

RECESS

Senator LOEPER. Mr. President, at this time I would request a recess of the Senate for the purpose of Members and staff to go out and have dinner. I would expect a return about

9:15 p.m. That gives us a little less than two hours to be back in the Senate Chamber.

Senator MELLOW. Mr. President, could Senator Loeper tell us if they plan on caucusing upon coming back at 9:15 p.m.?

Senator LOEPER. Mr. President, it would be my intention that we will return to the floor at approximately 9:15 p.m. to clean up some procedural matters that must be taken care of at that point, then recess for the purpose of a Republican caucus.

Senator MELLOW. So at 9:15 p.m., any roll call that will be taken will be on a procedural matter and not necessarily a slow roll call on any legislation?

Senator LOEPER. That is correct.

The PRESIDENT. For the purpose of a dinner break, the Senate will now stand in recess.

### AFTER RECESS

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

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 756**.

#### HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 252, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 252**, and has appointed Messrs. COWELL, PIEVSKY and HAYES as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 910, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 910**, and has appointed Messrs. O'DONNELL, PIEVSKY and HAYES as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has nonconcurring in amendments made by the Senate to **HB 31, 285, 1020, 1373, 1517 and 1687**.

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

#### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO 3

#### BILLS WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

#### SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 31

**HB 31 (Pr. No. 2317)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 31, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

#### SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 285

**HB 285 (Pr. No. 2319)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further defining the terms "employee" and "employer" for personal income tax purposes; and excluding certain transactions from the realty transfer tax.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 285, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

#### SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 1020

**HB 1020 (Pr. No. 2320)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," further providing for penalties for failure to file certain reports.



Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1020, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**SENATE INSISTS UPON ITS AMENDMENTS  
NONCONCURRED IN BY THE HOUSE  
TO HB 1373**

**HB 1373 (Pr. No. 2321)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for employment incentive payments and for estimated tax.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1373, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**SENATE INSISTS UPON ITS AMENDMENTS  
NONCONCURRED IN BY THE HOUSE  
TO HB 1517**

**HB 1517 (Pr. No. 2299)** — The Senate proceeded to consideration of the bill, entitled:

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1989, to June 30, 1990, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1517, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**SENATE INSISTS UPON ITS AMENDMENTS  
NONCONCURRED IN BY THE HOUSE  
TO HB 1687**

**HB 1687 (Pr. No. 2322)** — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating and transferring amounts from the State Workmen's Insurance Fund to the Treasury Department.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1687, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON HB 31**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 31.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON HB 285**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 285.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON HB 1020**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and BODACK as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1020.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON HB 1373**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1373.

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

**COMMITTEE OF CONFERENCE  
APPOINTED ON HB 1517**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators

LOEPER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1517.

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

### COMMITTEE OF CONFERENCE APPOINTED ON HB 1687

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and BODACK as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1687.

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

### BILLS SIGNED

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

**HB 139, 222, 756, 1086, 1299, 1302, 1323, 1450, 1529 and 1740.**

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 2

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

**HB 1429 (Pr. No. 2354)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for increased fees and additional fees for the Department of Labor and Industry; further providing for the reestablishment, administration and operation of the State Planning Board; and further providing for no-bid contracts and for certain purchases in the open market by increasing the cost of such purchases; and providing for special State duty for the Pennsylvania National Guard and the pay for enlisted personnel performing Federally funded duty.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

### YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 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.

### LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Ross, Senator Scanlon and Senator Belan. Their temporary Capitol leaves will be cancelled.

### CONSIDERATION OF CALENDAR RESUMED

#### HB 110 CALLED UP

**HB 110 (Pr. No. 2318)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

#### BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER AND FINAL PASSAGE

**HB 110 (Pr. No. 2318)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), known as the "Capital Loan Fund Act," further providing for loans to agricultural processors.

The bill was considered.

On the question,

Will the Senate agree to the bill on third consideration?

#### MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator LOEPER. Mr. President, I move that House Bill No. 110 revert to the form it was in under Printer's No. 180.

The motion was agreed to.

The PRESIDENT. The Senate now has before it House Bill No. 110, Printer's No. 180.

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

On the question,  
Shall the bill pass finally?

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1700 CALLED UP**

**HB 1700 (Pr. No. 2323)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL REREPORTED FROM COMMITTEE AS  
AMENDED ON THIRD CONSIDERATION  
AMENDED**

**HB 1700 Pr. No. 2323** — The Senate proceeded to consideration of the bill, entitled:

An act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," providing for grants to be made for industrial site development projects.

Considered the third time,

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

Senator STEWART, by unanimous consent, offered the following amendment No. A2666:

Amend Sec. 2 (Sec. 4.1), page 4, lines 22 and 23, by striking out "\$1,000,000 NOR A TOTAL OF \$2,000,000" in line 22, all of line 23 and inserting: \$1,500,000.

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

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

**HB 1701 CALLED UP**

**HB 1701 (Pr. No. 2324)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL REREPORTED FROM COMMITTEE AS  
AMENDED ON THIRD CONSIDERATION  
AMENDED**

**HB 1701 (Pr. No. 2324)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing an industrial communities action program for making grants to industrial communities to complement private investment at industrial sites; and prescribing requirements of and conditions for grants.

Considered the third time,

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

Senator SHAFFER, by unanimous consent, offered the following amendment No. A2678:

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

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

Amend Sec. 5, page 6, line 3, by striking out "60%" and inserting: 25%

Amend Sec. 5, page 6, line 5, by striking out "\$2,500,000" and inserting: \$1,000,000 nor a total of \$2,000,000 for any number of fiscal years

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

It was agreed to.

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

**HB 1198 CALLED UP**

**HB 1198 (Pr. No. 2298)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL REREPORTED FROM COMMITTEE AS  
AMENDED ON THIRD CONSIDERATION  
AMENDED**

**HB 1198 (Pr. No. 2298)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensing of promoters of professional wrestling exhibitions; imposing a tax on certain receipts; requiring the posting of performance bonds; and providing penalties.

Considered the third time,

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

RECONSIDERATION OF RHOADES  
AMENDMENT A2588

Senator PECORA. Mr. President, I move to reconsider the vote by which the amendment offered by Senator Rhoades, No. A2588, passed on June 29, 1989.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

Senator RHOADES. Mr. President, I would rise in objection to that reconsideration and ask for a negative vote. What that will do is put professional wrestling back under the Athletic Commission, which we have stipulated will be for professional boxing. I think there is a very significant difference in here. In the bill as we have it now, they will be directly responsible to the Secretary of State, who will be responsible for the collection and separation in its oversight and in terms of the promoters and the rest. I think that is a more appropriate move, a more professional move, and administratively a better move, and I would ask for a rejection of that reconsideration.

The PRESIDENT. The Chair would simply point out that the reconsideration has already been granted. The question before us is on the amendment per se. The Chair would suggest that the gentleman is asking for an affirmative vote on the amendment.

POINT OF INFORMATION

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

The PRESIDENT. The gentleman from Schuylkill, Senator Rhoades, will state it.

Senator RHOADES. Mr. President, a "yes" vote would keep the Wrestling Commission under the Secretary of State, right?

The PRESIDENT. That is correct. An affirmative vote is a vote for the Rhoades amendment.

Senator RHOADES. Which would keep wrestling under the Secretary of State, Mr. President?

The PRESIDENT. If that was the effect of the amendment that was offered yesterday, that we are reconsidering, the answer is, yes.

Senator PECORA. Mr. President, I recommend a "no" vote because the Athletic Commission did an outstanding job over the previous years. Previously the boxing events used to carry the total taxes to cover wrestling. Wrestling in the last couple of years has become financially stable, and it is their turn to accept some of the financial burden also. I hope that we would consider a "no" vote here and I recommend it.

Senator ANDREZESKI. Mr. President, we have gone through a long history on the idea of having wrestling covered by the Pennsylvania Athletic Commission or not having it covered. We have gone through a long history of should they pay the gross receipts tax, should they pay 5 percent, should they pay zero, should they pay 3 percent. The fact of the matter is, Mr. President, it seems in the end we have not just

one industry, but, perhaps, we have one organization looking to get out from under some supervision in some way of sporting events, whether they call it entertainment or not. Mr. President, in support of the gentleman from Allegheny, Senator Pecora, on this, I think we have to understand there is an ebb and flow to all of this. In years past, the Boxing Commission, when boxing was king in Pennsylvania, for this type of sporting event the gross receipts tax from the Boxing Commission ended up supporting anything that had to do with wrestling. As it stands now, Mr. President, the wrestling somewhat supports boxing in Pennsylvania. More importantly, I think we have to face the issue of entertainment and what is entertainment. I know that professional wrestling will come up and say, we are simply entertainment, when they come here before us and say, we should be treated as entertainment. Of course, when they go before the public they will say, well, it is professional wrestling. After seeing the last title fight on HBO, I do not think there is much difference in the decisions between wrestling and boxing, but I do not want to get into that discussion. I do think we have some obligation to say that we should have some oversight. We have gone back and forth on this issue. We have not been able to find a reasonable compromise, and I think Senator Pecora is simply trying to say, let us put the issue to rest by putting it all under the Pennsylvania Athletic Commission and letting them have somebody in some supervisory capacity, not in any capacity to hinder the operation of wrestling. I think, Mr. President, on this issue, if you look at some of the things that have happened where wrestlers have gone and pushed some of the spectators around, where the wrestlers have thrown chairs out into the audience, that there has to be some official supervision and/or sanction on this issue, rather than going back and forth with the 3 percent plan, the 5 percent plan, the 3 percent plan under the Athletic Commission, the 5 percent plan as entertainment. Then, perhaps Senator Pecora would have the right idea to simply say, let us leave it alone and let us not have just one small part of the industry come up here and lobby for a special dispensation for their one particular point. On this issue, Mr. President, I would ask that we support Senator Pecora and get on with the Pennsylvania Athletic Commission.

Senator RHOADES. Mr. President, I would note a few points. Number one, anyone who has seen high school wrestling, college wrestling and professional wrestling, if they cannot tell the difference between those, I cannot help them, then. I do not think I can convince them.

Secondly, a review of the legislation would point out all the things that have to be done through the Secretary to protect the sport, the spectators and the industry. That goes from the standpoint of health examinations and everything else that has to be done properly within that area. To try to put this under athletics, there is a big difference. There is a big difference between amateur wrestling, professional wrestling and professional boxing.

Senator PECORA. Mr. President, the only thing this is duplicating is the same procedure. The procedure of the

health investigations and inspections were done by the Athletic Commission with a member of the Athletic Commission present, having verification and papers signed documenting that each member participating in athletic events is in good health. So there is no special event as to what his amendment does.

#### PARLIAMENTARY INQUIRY

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

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

Senator MELLOW. Mr. President, once again for clarification, can the Chair explain to us what an "aye" vote is? Are we now voting for the amendment?

The PRESIDENT. The gentleman is correct. This is the Rhoades amendment that was adopted yesterday relating to the State Department oversight over professional wrestling.

Senator MELLOW. The gentleman from Schuylkill, Senator Rhoades, is in favor of the amendment and the gentleman from Allegheny, Senator Pecora, is against it?

The PRESIDENT. The gentleman is correct.

And the question recurring,

Will the Senate agree to the amendment?

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

#### YEAS—21

Armstrong	Hess	Madigan	Salvatore
Baker	Hopper	Peterson	Shaffer
Bell	Jubelirer	Punt	Shumaker
Brightbill	Lemmond	Rhoades	Wenger
Corman	Loeper	Rocks	Wilt
Greenwood			

#### NAYS—28

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

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

#### RECONSIDERATION OF ANDREZESKI AMENDMENT A2607

Senator RHOADES. Mr. President, I move to reconsider the vote on amendment No. A2607 to House Bill No. 1198.

The PRESIDENT. Senator Rhoades moves that the Senate do reconsider the vote by which amendment No. A2607 passed June 29, 1989.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

Senator PECORA. Mr. President, I desire to interrogate the gentleman from Erie, Senator Andrezeski.

The PRESIDENT. Will the gentleman from Erie, Senator Andrezeski, permit himself to be interrogated?

Senator ANDREZESKI. I will, Mr. President.

Senator PECORA. Mr. President, I am not familiar with the amendment, and I would request that it be explained, please.

Senator ANDREZESKI. Mr. President, my amendment simply does the same thing that the Senate bill we passed here did and that was have the gross receipts tax go from 3 percent to 5 percent on this bill. That is the same thing we voted out in a Senate bill. What it amounts to is about \$110,000 in revenue collected on this gross receipts tax at 5 percent for 1987-88, which was used by the Athletic Commission for all of the functions that they carry out. That is what the amendment was, and it simply keeps the gross receipts tax at 5 percent.

Senator PECORA. Mr. President, in other words, your amendment that you introduced that already passed raised the tax from 3 percent to 5 percent. Am I correct?

Senator ANDREZESKI. Mr. President, that is correct. It raised the gross receipts tax from 3 percent to 5 percent, which was the same amount in the Senate bill that we passed previously.

Senator PECORA. Mr. President, I have another question. Was the intent so the legislation would pass and be signed by the Governor so that we can keep the Athletic Commission?

Senator ANDREZESKI. Mr. President, it is my understanding the Governor's Office asked that the tax be at 5 percent to provide the proper revenues for the Athletic Commission to govern all of the events, whether they be boxing, wrestling, or whatever item that they are doing.

Senator PECORA. Mr. President, so an "aye" vote would keep the 5 percent in so that the Governor would probably sign the legislation. Is that correct?

Senator ANDREZESKI. Mr. President, it is my understanding that an "aye" vote will keep the tax at a 5 percent gross receipts tax, which is what the Governor's Office has indicated to us they need.

Senator PECORA. Mr. President, if this legislation is amended, would the bill have to then go back to the House, and if it is not amended, do we send it straight to the Governor's Office to be signed?

Senator ANDREZESKI. Mr. President, the bill has already been amended so it is my understanding that it would have to go to the House for concurrence on the amendment. The bill is already amended as it now stands.

Senator RHOADES. Mr. President, I would point out that the bill we passed yesterday, Senate Bill No. 1197, has an augmentation amount in there of approximately \$350,000, which can be drawn down into about a \$7.5 million surplus which is in professional licensure. In terms of the exact amount of what 3 percent or 5 percent is, I cannot disagree with the gentleman from Erie, Senator Andrezeski. He says \$110,000. I have talked to someone else; they said \$115,000. I talked to someone else; they said \$400,000. Part of the sunset of this is reviewing to see how much is needed. That has been the biggest problem with this, to find out what the bottom line is.

My intention is, I can see that 3 percent. Suppose they can bring in \$400,000 which can make it run, I say, fine. Between that and the task force in place, we will understand what we need and then fund them the way we should. To put extra money in there does not do anything except give them a surplus, and I do not think we are looking to give people surpluses around here as much as enough to operate their program.

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

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

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

The PRESIDENT. The gentleman will be so recorded.

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

#### YEAS—25

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

#### NAYS—24

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

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

The PRESIDENT. House Bill No. 1198 will go over in its order, as amended.

### SPECIAL ORDER OF BUSINESS

#### ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the following conference committees to convene at 11:15 p.m. in the Majority caucus room: Conference Committee on Senate Bill No. 252 and the Conference Committee on Senate Bill No. 910.

### LEGISLATIVE LEAVE

Senator MELLOW. Mr. President, Senator Stapleton must go to his office and I would like to have a temporary Capitol leave for Senator Stapleton.

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

### RECESS

Senator LOEPER. Mr. President, at this time I would ask for a recess of the Senate, first for purposes of conference committees to convene in the Majority caucus room on the first floor beginning at 11:15 p.m., and then for a Republican caucus in the Majority caucus room on the first floor immediately following the conclusion of the conference committee meetings, which I anticipate should be at approximately 11:30 p.m.

Senator MELLOW. Mr. President, I would like to inform the Democrat Members of the Senate that upon conclusion of the conference committee meetings, there will be no reason for the Democrat Members to go into caucus.

The PRESIDENT. There will be a recess of the Senate for purposes of convening various conference committee meetings in the Majority caucus room on the first floor, followed at approximately 11:30 p.m. by a Republican caucus, followed, hopefully, by the completion of our chores here this evening. For those purposes, the Senate will stand in recess.

### AFTER RECESS

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

### HOUSE MESSAGES

#### HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 31, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrency in Senate amendments to **HB 31**, and has appointed Messrs. O'DONNELL, PIEVSKY and RYAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 285, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrency in Senate amendments to **HB 285**, and has appointed Messrs. O'DONNELL, PIEVSKY and RYAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 1020, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrency in Senate amendments to **HB 1020**, and has appointed Messrs. O'DONNELL, PIEVSKY and PITTS as a Committee of

Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS NONCONCURRENCE  
IN AMENDMENTS TO HB 1373, AND APPOINTS  
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1373**, and has appointed Messrs. O'DONNELL, PIEVSKY and RYAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS NONCONCURRENCE  
IN AMENDMENTS TO HB 1517, AND APPOINTS  
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1517**, and has appointed Messrs. O'DONNELL, PIEVSKY and PITTS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS NONCONCURRENCE  
IN AMENDMENTS TO HB 1687, AND APPOINTS  
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1687**, and has appointed Messrs. O'DONNELL, PIEVSKY and PITTS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE CONCURS IN SENATE BILL**

The Clerk of the House of Representatives returned to the Senate **SB 906**, with the information the House has passed the same without amendments.

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 316, 472 and 790**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XV, Section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

**HOUSE CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 22, 52, 537, 1197, 1293, 1392 and 1694**.

**HOUSE CONCURS IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 280**.

**REPORT OF COMMITTEE OF CONFERENCE  
SUBMITTED**

Senator TILGHMAN submitted the Report of Committee of Conference on **SB 910**, which was placed on the Calendar.

**REPORTS OF COMMITTEES OF CONFERENCE  
SUBMITTED AND LAID ON THE TABLE**

Senator TILGHMAN submitted the Reports of Committees of Conference on **HB 31, 285, 1020, 1373, 1517 and 1687**, which were laid on the table.

**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 during the Session to consider Senate Bills No. 316, 472 and 790 and certain nominations.

**SUPPLEMENTAL CALENDAR NO. 1  
RESUMED**

**HB 1479 CALLED UP**

**HB 1479 (Pr. No. 2353)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

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

**HB 1479 (Pr. No. 2353)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—48

Afflerbach	Fumo	Lynch	Rocks
Andrezski	Greenleaf	Madigan	Ross
Armstrong	Greenwood	Mellow	Scanlon
Baker	Hess	Musto	Shaffer

Belan	Holl	O'Pake	Shumaker
Bell	Hopper	Pecora	Stapleton
Bodack	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	Lemmond	Punt	Tilghman
Dawida	Lewis	Regoli	Wenger
Fattah	Lincoln	Reibman	Williams
Fisher	Loeper	Rhoades	Wilt

NAYS—1

Salvatore

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

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

**LEGISLATIVE LEAVES CANCELLED**

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

**CONSIDERATION OF CALENDAR RESUMED**

**HB 1469 CALLED UP OUT OF ORDER**

**HB 1469 (Pr. No. 2304)** — 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.

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

**HB 1469 (Pr. No. 2304)** — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton

Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

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

**HB 1470 (Pr. No. 2305)** — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

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

NAYS—0



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

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

**HB 1473 (Pr. No. 2306)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1474 (Pr. No. 2307)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Hahnemann University, Philadelphia.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer

Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1475 (Pr. No. 2308)** — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1476 (Pr. No. 2309)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1482 (Pr. No. 2311)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1487 (Pr. No. 2312)** — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1491 (Pr. No. 2313)** — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart

Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1496 (Pr. No. 2314)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the St. Christopher's Hospital, Philadelphia.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1503 (Pr. No. 2315)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Arsenal Family and Children's Center.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1510 (Pr. No. 2316)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Franklin Institute Science Museum.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the

Senate has passed the same with amendments in which concurrence of the House is requested.

### HB 1471 CALLED UP OUT OF ORDER

**HB 1471 (Pr. No. 2176)** — Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

### NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1471 (Pr. No. 2176)** — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

#### NAYS—0

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

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

### NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1472 (Pr. No. 2177)** — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees; and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

#### NAYS—0

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

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

**HB 1477 (Pr. No. 2182)** — The Senate proceeded to consideration of the bill, entitled:

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

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1478 (Pr. No. 2183)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1480 (Pr. No. 2185)** — The Senate proceeded to consideration of the bill, entitled:

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

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1481 (Pr. No. 2186)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Textiles and Science.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1483 (Pr. No. 2188)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Downingtown Industrial and Agricultural School, Downingtown.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1484 (Pr. No. 2189)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1485 (Pr. No. 2190)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1486 (Pr. No. 2191)** — The Senate proceeded to consideration of the bill, entitled:

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

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1492 (Pr. No. 1746)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Wistar Institute-Research, Philadelphia.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

**NAYS—0**

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

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

**HB 1493 (Pr. No. 1747)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Central Penn Oncology Group.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

**NAYS—0**

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

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

**HB 1494 (Pr. No. 1748)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

**NAYS—0**

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

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

**HB 1495 (Pr. No. 1749)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the St. Francis Hospital, Pittsburgh.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1497 (Pr. No. 1751)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lancaster Cleft Palate.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1498 (Pr. No. 1752)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton

Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1499 (Pr. No. 1753)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Jefferson Medical College and Hospital of Philadelphia for a comprehensive program relating to Tay-Sachs Disease.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1500 (Pr. No. 1754)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Burn Foundation of Greater Delaware Valley.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1501 (Pr. No. 1755)** — The Senate proceeded to consideration of the bill, entitled:

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

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1505 (Pr. No. 1759)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1508 (Pr. No. 1762)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1509 (Pr. No. 1763)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Carnegie Museum of Natural History for maintenance and the purchase of apparatus, supplies and equipment.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1511 (Pr. No. 1765)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1512 (Pr. No. 1766)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the Buhl Science Center.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1513 (Pr. No. 1767)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

**HB 1514 (Pr. No. 1768)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

**HB 1515 (Pr. No. 1769)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Everhart Museum in Scranton.

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker

Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	Rhoades	Williams
Fisher	Lynch	Rocks	Wilt
Fumo			

NAYS—0

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

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

PERMISSION TO ADDRESS SENATE

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

Senator LOEPER. Mr. President, first, let me congratulate you upon your dispatch of the previous business.  
(Applause.)

The PRESIDENT. The remarks of the gentleman will be spread upon the record.

SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 4

THIRD CONSIDERATION CALENDAR  
BILLS REREPORTED FROM COMMITTEE  
AS AMENDED ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 1700 (Pr. No. 2355)** — The Senate proceeded to consideration of the bill, entitled:

An act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," providing for grants to be made for industrial site development projects.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1701 (Pr. No. 2356)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing an industrial communities action program for making grants to industrial communities to complement private investment at industrial sites; and prescribing requirements of and conditions for grants.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

## YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1198 (Pr. No. 2359)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensing of promoters of professional wrestling exhibitions; imposing a tax on certain receipts; requiring the posting of performance bonds; and providing penalties.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

Senator LOEPER. Mr. President, I would just remind the Members that the bill before us, House Bill No. 1198, is the licensing bill for professional wrestling exhibitions.

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—36

Afflerbach	Fumo	Lincoln	Reibman
Andrezeski	Greenleaf	Loeper	Ross
Armstrong	Greenwood	Lynch	Scanlon
Belan	Hess	Mellow	Shaffer
Bodack	Holl	Musto	Stapleton
Brightbill	Jones	O'Pake	Stewart
Dawida	Jubelirer	Pecora	Stout
Fattah	Lemmond	Porterfield	Tilghman
Fisher	Lewis	Regoli	Williams

## NAYS—13

Baker	Madigan	Rhoades	Shumaker
Bell	Peterson	Rocks	Wenger
Corman	Punt	Salvatore	Wilt
Hopper			

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

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

## RECESS

Senator LOEPER. Mr. President, at this time I would ask for a brief recess of the Senate for purposes of the conference committee meeting, to be followed immediately by a meeting of the Committee on Rules and Executive Nominations in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For purposes of a conference committee meeting, followed by a meeting of the Committee on Rules and Executive Nominations, the Senate will stand in brief recess.

## AFTER RECESS

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

### SPECIAL ORDER OF BUSINESS 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:

DISTRICT JUSTICE

June 5, 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, Kevin Cooper, 622 Hav-erhill Street, Pittsburgh 15221, Allegheny County, Thirty-eighth Senatorial District, for appointment as District Justice in and for the County of Allegheny, Magisterial District 5-3-12, to serve until the first Monday of January, 1992, vice Helen Hull, resigned.

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.

EXECUTIVE NOMINATION

EXECUTIVE SESSION

Motion was made by Senator WILT,

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

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

Senator WILT. Mr. President, I ask unanimous consent to call from the table certain nomination and ask for its consid-eration.

The Clerk read the nomination as follows:

DISTRICT JUSTICE

June 5, 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, Kevin Cooper, 622 Hav-erhill Street, Pittsburgh 15221, Allegheny County, Thirty-eighth Senatorial District, for appointment as District Justice in and for the County of Allegheny, Magisterial District 5-3-12, to serve until the first Monday of January, 1992, vice Helen Hull, resigned.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nomination?

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	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida  
Fattah  
Fisher  
Fumo

Lincoln  
Loeper  
Lynch

Reibman  
Rhoades  
Rocks

Wenger  
Williams  
Wilt

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.

HOUSE MESSAGES

HOUSE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Reports of Committees of Conference on HB 31, 285, 1020, 1373 and 1687, which were placed on the Calendar.

REPORTS FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Exec-utive Nominations, reported the following bills on concur-rence in House amendments:

SB 316 (Pr. No. 1411)

An Act providing for the establishment of a Family Preserva-tion Program by the Department of Public Welfare; providing for grants to counties for programs enabling children who would otherwise be subject to out-of-home placement to remain at home.

SB 472 (Pr. No. 1413)

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," providing for requirements relating to minimum capital surplus for certain insurers; increasing capital requirements for certain insurance companies; authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and providing for insurance ben-efits for cancer chemotherapy and cancer hormone treatments and for mammographic examination.

SB 790 (Pr. No. 1127)

An Act authorizing the Board of the Troy Borough Municipal Authority to transfer certain Project 70 lands in Troy Township, Bradford County, to the Department of Transportation for a highway project under certain conditions.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator HESS submitted the Report of Committee of Con-ference on SB 252, which was placed on the Calendar.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 5**

**REPORT OF COMMITTEE OF CONFERENCE  
REPORT ADOPTED**

**SB 910 (Pr. No. 1415)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 21, 1988 (P. L. 851, No. 113), entitled "Capital Budget Project Itemization Act for 1987-1988," adding projects; further providing for certain highway projects; moving certain projects to the correct categories; and making repeals.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 910.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 6**

**REPORTS OF COMMITTEES OF CONFERENCE  
REPORTS ADOPTED**

**HB 31 (Pr. No. 2361)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions; and providing for shares tax appeals.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 31.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**HB 285 (Pr. No. 2365)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for imposition of the bank shares tax; ascertaining values; requiring reports; imposing an alternative bank share tax; imposing the title insurance and trust companies shares tax; ascertaining values; imposing an alternative title insurance and trust companies shares tax; excluding certain transactions from the realty transfer tax; delaying the reduction of mutual thrift institution tax; and making repeals.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 285.

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

**LEGISLATIVE LEAVES**

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Scanlon and Senator Ross who have been called to their offices.

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Bodack. 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 FISHER. Mr. President, I would like to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

Senator SALVATORE. 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—29

Andrezeski	Fumo	Lynch	Scanlon
Baker	Hess	Mellow	Stapleton
Belan	Jones	Musto	Stewart
Bodack	Jubelirer	O'Pake	Stout
Brightbill	Lewis	Porterfield	Wenger
Dawida	Lincoln	Ross	Williams
Fattah	Loeper	Salvatore	Wilt
Fisher			

NAYS—20

Afflerbach	Greenwood	Pecora	Rhoades
Armstrong	Holl	Peterson	Rocks
Bell	Hopper	Punt	Shaffer
Corman	Lemmond	Regoli	Shumaker
Greenleaf	Madigan	Reibman	Tilghman

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.

**HB 1020 (Pr. No. 2362)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," making an appropriation of certain interest fund moneys.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 1020.

On the question,

Will the Senate agree to the motion?

Senator TILGHMAN. Mr. President, I request a slow roll call.

And the question recurring,

Will the Senate agree to the motion?

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

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

The PRESIDENT. The lady will be so recorded.

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

YEAS—30

Afflerbach	Fumo	Musto	Stapleton
Andrezeski	Jones	O'Pake	Stewart
Belan	Jubelirer	Porterfield	Stout
Bodack	Lewis	Regoli	Tilghman
Brightbill	Lincoln	Reibman	Wenger
Dawida	Loeper	Ross	Williams
Fattah	Lynch	Scanlon	Wilt
Fisher	Mellow		

NAYS—19

Armstrong	Greenwood	Madigan	Rocks
Baker	Hess	Pecora	Salvatore
Bell	Holl	Peterson	Shaffer
Corman	Hopper	Punt	Shumaker
Greenleaf	Lemmond	Rhoades	

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.

**HB 1373 (Pr. No. 2363)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for employment incentive payments; imposing new bank tax credits; providing for limitations and procedures; and requiring reports and evaluations.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 1373.

On the question,

Will the Senate agree to the motion?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**HB 1687 (Pr. No. 2364)** — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating and transferring amounts from the State Workmen's Insurance Fund to the Treasury Department.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 1687.

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

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

**YEAS—31**

Afflerbach	Fumo	Mellow	Stapleton
Andrezeski	Hess	Musto	Stewart
Belan	Jones	O'Pake	Stout
Bodack	Jubelirer	Porterfield	Tilghman
Brightbill	Lewis	Regoli	Wenger
Dawida	Lincoln	Reibman	Williams
Fattah	Loeper	Ross	Wilt
Fisher	Lynch	Scanlon	

**NAYS—18**

Armstrong	Greenwood	Pecora	Rocks
Baker	Holl	Peterson	Salvatore
Bell	Hopper	Punt	Shaffer
Corman	Lemmond	Rhoades	Shumaker
Greenleaf	Madigan		

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.

**CONSIDERATION OF CALENDAR RESUMED**

**SB 274 CALLED UP**

**SB 274 (Pr. No. 1408)** — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Calendar, under Bill on Concurrence in House Amendments as Amended, by Senator LOEPER, as a Special Order of Business.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED**

**SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED BY THE SENATE**

**SB 274 (Pr. No. 1408)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the Catastrophic Loss Benefits Continuation Fund for payment of certain catastrophic loss benefits; providing for surcharges for certain offenses to provide moneys for the fund; and further providing for conditions of permits.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House as amended by the Senate to Senate Bill No. 274.

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

**LEGISLATIVE LEAVE**

Senator MELLOW. Mr. President; I request a temporary Capitol leave for Senator Andrezeski.

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

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

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

**YEAS—27**

Andrezeski	Fumo	Lynch	Scanlon
Belan	Greenwood	Mellow	Stapleton
Bodack	Jones	Musto	Stewart
Brightbill	Jubelirer	O'Pake	Wenger
Dawida	Lewis	Porterfield	Williams
Fattah	Lincoln	Regoli	Wilt
Fisher	Loeper	Ross	

**NAYS—22**

Afflerbach	Hess	Peterson	Salvatore
Armstrong	Holl	Punt	Shaffer
Baker	Hopper	Reibman	Shumaker
Bell	Lemmond	Rhoades	Stout
Corman	Madigan	Rocks	Tilghman
Greenleaf	Pecora		

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

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 7**

**REPORT OF COMMITTEE OF CONFERENCE**

**REPORT ADOPTED**

**SB 252 (Pr. No. 1414)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for filling vacancies on certain boards of school directors, for group insurance contracts and for property tax assessments in certain school districts; providing for business administrators; further providing for the duties of the State Board of Education; further providing for an economic supplement; further defining "personal income valuation" and "market value/income aid ratio" to expand tax credits for income earned out-of-State; further providing for subsidies; providing for equipment grants; and making editorial changes.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 252.

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



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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 8**

**SB 472 CALLED UP OUT OF ORDER**

**SB 472 (Pr. No. 1413)** — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill on Concurrence in House Amendments, by Senator LOEPER.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 472 (Pr. No. 1413)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," providing for requirements relating to minimum capital surplus for certain insurers; increasing capital requirements for certain insurance companies; authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and providing for insurance benefits for cancer chemotherapy and cancer hormone treatments and for mammographic examination.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 472.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman

Dawida	Lincoln	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 inform the House of Representatives accordingly.

**SB 790 CALLED UP OUT OF ORDER**

**SB 790 (Pr. No. 1127)** — Without objection, the bill was called up out of order, from page 1 of the Calendar, under Bill on Concurrence in House Amendments, by Senator LOEPER.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 790 (Pr. No. 1127)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Board of the Troy Borough Municipal Authority to transfer certain Project 70 lands in Troy Township, Bradford County, to the Department of Transportation for a highway project under certain conditions.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 790.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**HOUSE MESSAGES**

**HOUSE ADOPTS REPORTS OF COMMITTEES  
OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House has adopted Reports of Committees of Conference on **SB 252** and **910**.

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 519**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The **PRESIDENT**. Pursuant to Senate Rule XV, Section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

**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, I think immediately, to consider Senate Bill No. 519 and certain nominations.

**REPORT FROM COMMITTEE**

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

**SB 519 (Pr. No. 1406)**

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," extending the time limit for Class III and apparel industry loans or aid; and further providing for apparel industry loans.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 8  
RESUMED**

**BILL ON CONCURRENCE IN  
HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 316 (Pr. No. 1411)** — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of a Family Preservation Program by the Department of Public Welfare; providing for grants to counties for programs enabling children who would otherwise be subject to out-of-home placement to remain at home.

Senator **LOEPER**. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 316.

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

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

**YEAS—49**

Afflerbach	Greenleaf	Madigan	Ross
Andrezeski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker

Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

**LEGISLATIVE LEAVE CANCELLED**

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR NO. 9**

**BILL ON CONCURRENCE IN  
HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 519 (Pr. No. 1406)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," extending the time limit for Class III and apparel industry loans or aid; and further providing for apparel industry loans.

Senator **LOEPER**. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 519.

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

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

**YEAS—47**

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

**NAYS—2**

Shaffer	Tilghman
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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.

**UNFINISHED BUSINESS**  
**SENATE CONCURRENT RESOLUTION**

**RECESS ADJOURNMENT**

Senator LOEPER offered the following resolution, which was read, considered and adopted:

In the Senate, June 30, 1989.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 18, 1989, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, September 18, 1989, unless sooner recalled by the Speaker of the House of Representatives.

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

**SENATE RESOLUTION**

**PROVIDING FOR A BIPARTISAN COMMITTEE  
TO STUDY THE FEASIBILITY OF A  
PRIVATELY RUN AUTOMOBILE INSURANCE  
MONOPOLY FOR THE CITY OF PHILADELPHIA**

Senators FATTAH, ROCKS and SALVATORE offered the following resolution (Senate Resolution No. 96), which was read, considered and adopted:

In the Senate, June 30, 1989.

**A RESOLUTION**

Providing for a bipartisan committee to study the feasibility of a privately run automobile insurance monopoly for the City of Philadelphia.

WHEREAS, Automobile insurance rates in the City of Philadelphia are rising beyond the ability of many citizens of that city to afford; and

WHEREAS, A privately run insurance monopoly may well be the answer to the problem of affordable insurance in that city; therefore be it

RESOLVED, That the President pro tempore appoint a bipartisan special committee to study the feasibility of a single, privately run automobile insurance monopoly for the City of Philadelphia; and be it further

RESOLVED, That the committee shall be composed of eight members: four from the majority party and four from the minority party. The President pro tempore shall choose one of their number as chairman; and be it further

RESOLVED, That the committee may hold hearings, take testimony and make its investigations at such places as it deems necessary in this Commonwealth. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That the committee may seek the advice of experts to advise the committee on insurance-related matters; and be it further

RESOLVED, That the committee may return to the Senate at any time to request consideration for additional resources to assist the committee in its work; and be it further

RESOLVED, That the committee make a report of its findings and recommendations to the full Senate not later than December 31, 1989.

**RECONSIDERATION OF SENATE  
RESOLUTION NO. 96**

**RESOLUTION WITHDRAWN AND REFERRED**

Senator LOEPER. Mr. President, I move the Senate do now reconsider the vote by which Senate Resolution No. 96 was just adopted.

The motion was agreed to.

And the question recurring,  
Will the Senate adopt the resolution?

Senator FATTAH. Mr. President, I withdraw my request for immediate consideration of the resolution.

The PRESIDENT. Without objection, the resolution will be referred to the Committee on Rules and Executive Nominations.

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Elizabeth Borneman by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Guy R. Heister, Mr. and Mrs. Harold A. Haubert, Mr. and Mrs. Jesse Glick and to Mr. and Mrs. John Gingrich by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Strauch by Senator Helfrick.

Congratulations of the Senate were extended to North Penn Goodwill Service of Telford by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Francis W. Hoffman, Sr. and to John Hemphill by Senator Jubelirer.

Congratulations of the Senate were extended to Lucky Ladies Girls Softball Team of Bristol Township by Senator Lewis.

Congratulations of the Senate were extended to Fay L. Jordan and to Amy Walker by Senator Madigan.

Congratulations of the Senate were extended to Very Reverend Francis E. Kolwicz and to Robert McHugh by Senator Musto.

Congratulations of the Senate were extended to James J. Rhoades, Jr. by Senator Rhoades.

Congratulations of the Senate were extended to Howard V. Miller by Senator Rocks.

Congratulations of the Senate were extended to Mr. and Mrs. Charles F. Sizer, Mr. and Mrs. Harold Offutt, Mr. and Mrs. Howard C. Mickley and to Earl Lepley by Senator Shaffer.

Congratulations of the Senate were extended to Gilbert E. Kyle, Louis J. Wolfel and to the Pennsylvania Easter Seal Society of Middletown by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur R. Chess, Mr. and Mrs. Tony L. Macre, Mr. and Mrs. Harold A. Shrum, Mr. and Mrs. Frank Ramage and to Mr. and Mrs. James A. Scott by Senator Stout.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1198, 1429, 1469, 1470, 1473, 1474, 1475, 1476, 1479, 1482, 1487, 1491, 1496, 1503, 1510, 1700 and 1701.**

### BILLS SIGNED

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

**SB 252, 280, 316, 472, 519, 790, 906, 910, HB 22, 31, 52, 110, 285, 537, 1020, 1197, 1198, 1293, 1373, 1392, 1429, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1503, 1505, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1687, 1694, 1700 and 1701.**

### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 274.**

### BILL SIGNED

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

**SB 274.**

### HOUSE MESSAGE

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Report of Committee of Conference on **HB 1517**, which was placed on the Calendar.

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 6 RESUMED

#### REPORT OF COMMITTEE OF CONFERENCE

##### REPORT ADOPTED

**HB 1517 (Pr. No. 2360)** — The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1989, to June 30, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1989, to June 30, 1990, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund and The State Stores Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1989, to June 30, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989; to provide additional appropriations from the General Fund for the expenses of the Executive Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide additional appropriations from the Motor License Fund to the Executive Department; to provide for the additional appropriation of Federal funds to the Executive Department of the Commonwealth for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 1517.

On the question,

Will the Senate agree to the motion?

Senator FUMO. Mr. President, at this time I would like to thank the Appropriations Committees' staffs of the House Republican caucus, the House Democratic caucus, the Senate Republican caucus and, of course, my staff, the Democratic caucus of the Senate, for all the fine work they have done on this budget, all the very long hours they have put in, in fact, hours this time longer than the ones that we have put in. In addition, Mr. President, earlier this evening when we signed the conference report, I want the record to reflect the events at that time. We opened a bottle of champagne and I was fortunate enough to be able to toast the new Majority Leader of the Senate and the new Majority Leader of the House, Senator Loeper and Representative O'Donnell. At that time I con-

gratulated the two of them, and I do so again tonight, and thank them for their skill, for their leadership and for their fine tone of negotiations that enabled us to put together a budget this year not only on time, but one without acrimony and one which has gone a long way in bringing credibility back to the legislative process. With that, Mr. President, I would like to ask for an affirmative vote on the conference report and thank all of my colleagues tonight for their patience with the leadership in putting this together and certainly their patience tonight on the floor.

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—49

Afflerbach	Greenleaf	Madigan	Ross
Andrezski	Greenwood	Mellow	Salvatore
Armstrong	Hess	Musto	Scanlon
Baker	Holl	O'Pake	Shaffer
Belan	Hopper	Pecora	Shumaker
Bell	Jones	Peterson	Stapleton
Bodack	Jubelirer	Porterfield	Stewart
Brightbill	Lemmond	Punt	Stout
Corman	Lewis	Regoli	Tilghman
Dawida	Lincoln	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 inform the House of Representatives accordingly.

### PETITIONS AND REMONSTRANCES

Senator SHUMAKER. Mr. President, tonight we passed a General Fund budget which included \$860,000 in initial funding for the Automated Fingerprint Identification System known as AFIS. AFIS has been hailed as one of the greatest technological advances in the history of law enforcement. It uses a computer system to match fingerprints lifted from a crime scene with thousands of prints stored in a data base in a matter of seconds or minutes.

This system marks a giant step forward from the manual system that the Pennsylvania State Police and other law enforcement agencies use now in which fingerprints are compared manually with fingerprints on file. This process consumes a staggering amount of man hours and gives criminals ample opportunity to strike again.

Throughout this nation, and internationally, AFIS has built up a tremendous record of success, quickly solving cases that have remained dormant for years, including thirty-four cases it solved in San Francisco in its first four days of operation.

A vivid example of the system's ability to identify suspects was shown in the well-known "Night Stalker" case. Just three minutes after receiving its first assignment, the computer

scored a direct hit, matching a print taken from a car to Richard Ramirez, who was then charged with the murder of fifteen women. Police estimated that a manual search of their 1.7 million sets of fingerprints on file would have taken them sixty-seven man years.

AFIS also played a major role in the arrest of a suspect in the slaying of the aunt of the Governor of Georgia. Law enforcement officials used AFIS to compare a fingerprint taken from the crime scene with nine and one-half million prints. The result was a clear match to a suspect who, Georgia police say, would most likely never have been considered.

As the examples from Georgia and California demonstrate, the ability to quickly identify a suspect is crucial to success in police work. If a suspect can be identified within twenty-four to forty-eight hours, the chances of apprehending and convicting that suspect are greatly enhanced.

AFIS will give Pennsylvania law enforcement an important advantage over a crime community that exploits every technological advantage for its own illicit gain, but now it is time to put technology on our side. It is, at long last, time to bring AFIS, an essential crime-fighting tool, to this great Commonwealth.

(The following prepared statement was made a part of the record at the request of the lady from Philadelphia, Senator JONES:)

Mr. President, I want to give thanks for the completion of this year's budget. We all have worked very hard to bring this year's budget to completion. I am very pleased that this year's budget, though fiscally responsible, shows that we have not forgotten those in need in our state.

I am especially proud of your support for two very important programs. The first is the \$3.3 million appropriation for residential drug treatment programs for addicted mothers. I first introduced legislation to help pregnant women and mothers addicted to drugs for residential treatment programs in 1987. I spoke to many of you about this issue. I then held a public hearing on June 2, 1988, in Philadelphia, and many of you attended or sent your staffs. We had the opportunity to listen to those who are trying to treat these mothers, but more importantly, we heard from the mothers themselves who are desperately seeking treatment and so much want to have their children with them as they fight the devastating effects of drug addiction. This Session I reintroduced this legislation.

Secondly, I am truly grateful for the appropriation for the new Freedom Theatre of North Philadelphia. Freedom Theatre, which was founded in 1966, is housed in an historic landmark. These funds will be used to restore the building and build a new auditorium. With your support, in the fall Freedom Theatre will become a part of our Historical and Museum Commission.

First, I want to give thanks to Almighty God for always being there for us. I want to thank you, my colleagues in the Senate, for your support, I want to thank Governor Casey for his support and I want to thank the Members of the House of Representatives for their support. Certainly, I want to thank those of our staffs for their continued behind-the-scenes work. We could not do this without you.

I wish you all a good Fourth of July holiday and a wonderful summer. I will see you again in September and pray that God will bless each one of you and your families.

### STATEMENT BY THE CHAIR

The PRESIDENT. The Chair thanks all of the Members for their graciousness and professionalism during this difficult week.

### HOUSE MESSAGE

#### 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.

### BILL SIGNED

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

**HB 1517.**

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

##### COMMITTEE MEETINGS

MONDAY, JULY 10, 1989

10:00 A.M.	JUDICIARY (Public Hearing on drug bills and a legislative way to deal with the drug crisis)	Room 8E-B, Hearing Room, East Wing
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MONDAY, JULY 17, 1989

10:00 A.M.	JUDICIARY (Public Hearing on Senate Bill No. 1051)	Room 8E-B, Hearing Room, East Wing
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### ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Monday, September 18, 1989, at 2:00 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.