

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 15, 1989

SESSION OF 1989

173RD OF THE GENERAL ASSEMBLY

No. 64

SENATE

WEDNESDAY, November 15, 1989.

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

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

PRAYER

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

Dear God, You have taught us that all things were created by the power of Your love. Grant us, who are stewards of Your power for the well-being of our fellowman, to use this power in love. Guide and direct us to those decisions which will unite and not divide, which will uplift and not tear down and which will dignify and not degrade. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 14, 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

SURPLUS PROPERTY DISPOSITION PLAN NO. 1 OF 1989

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

COMMONWEALTH OF PENNSYLVANIA GOVERNOR'S OFFICE Harrisburg

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA

By the authority vested in me by Article XXIV-A of the act of April 9, 1929, (P.L. 177, No. 175), known as "The Administrative Code of 1929," added by Section 5 of the Act of July 1, 1981 (P.L. 143, No. 48) and entitled "Disposition of Commonwealth Surplus Land," I transmit herewith the 1989 Surplus Property Disposition Plan.

The annual Surplus Property Disposition Plan, required by Article XXIV-A, provides for the systematic management of Commonwealth-owned real estate assets and the efficient disposi-

tion of surplus holdings. The Plan also ensures that all conveyances are made for fair consideration predicated upon fair market value.

Contained in the Plan for 1989 are three (3) properties whose usefulness to State Government has ceased. However, they are useful and valuable for other purposes. Any special considerations, such as zoning restrictions, retention of mineral rights, and easements or leases presently in effect, have been identified.

Pursuant to Article XXIV-A, the Plan was transmitted to the Chairman and the Minority Chairman of the House and the Senate State Government Committees. The House and Senate Committees conducted a joint public hearing on September 26, 1989, as part of their review of the Plan and advised the Department of General Services of their findings.

The Department of General Services also invited public comment on the Plan through publication in the Pennsylvania Bulletin, Vol. 19, No. 34, August 26, 1989. In addition, pursuant to Article XXIV-A, the Department requested and received approval of the Plan by the Attorney General as to form and legality.

Legislative consideration of the sale of the property contained in the Plan will result in substantial benefits to the Commonwealth, including the return of idle real estate to the local tax rolls, the reduction of State exposure to liability and other insurance risks, and the elimination of excessive security and maintenance costs.

I, therefore, transmit to you and urge your approval of the 1989 Surplus Property Disposition Plan.

ROBERT P. CASEY, Governor

The PRESIDENT. This will appear on the Calendar as Surplus Property Disposition Plan No. 1 of 1989.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 331, 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 331, and has appointed Messrs. GEORGE, BATTISTO and PHILLIPS 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.

REPORTS FROM COMMITTEE

Senator HESS, from the Committee on Education, reported the following bills:

SB 539 (Pr. No. 1710) (Amended)

An Act requiring institutions of higher education to evaluate their faculties for fluency in the English language; providing for certifications as to that fluency; imposing penalties; and conferring powers and duties upon the State Board of Education.

SB 933 (Pr. No. 1062)

An Act amending the act of January 18, 1952 (1951 P. L. 2128, No. 605), entitled "Private Driver Education or Training School Act," further providing for the vehicles used in practical driver training.

SB 1013 (Pr. No. 1185)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for payments on account of approved adult program travel.

SB 1152 (Pr. No. 1424)

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), entitled, as amended, "Pennsylvania Higher Education Assistance Agency Act," further providing for aggregate indebtedness.

SB 1259 (Pr. No. 1557)

An Act providing for the establishment, implementation and administration of a Head Start Supplemental Assistance Program.

LEGISLATIVE LEAVES

Senator BRIGHTBILL. Mr. President, I would ask for legislative leaves for Senator Lemmond, Senator Holl and Senator Wilt.

Senator MELLOW. Mr. President, I ask for legislative leaves for Senator Fumo, Senator Ross and Senator Williams.

The PRESIDENT. Senator Brightbill asks legislative leaves for Senator Lemmond, Senator Holl and Senator Wilt. Senator Mellow asks legislative leaves for Senator Fumo, Senator Ross and Senator Williams. The Chair hears no objection. Those leaves will be granted.

CALENDAR**THIRD CONSIDERATION CALENDAR****BILL OVER IN ORDER**

HB 268 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 650 (Pr. No. 2686) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the powers and duties of the commission; changing the penalties for certain violations; further providing for the powers and duties of waterway patrolmen and deputies; providing for additional violations; providing new fees for lakes; providing for reports by emergency room personnel; providing for tagged fish contests on state boundary lakes; further providing for Class A lakes; and further providing penalties for the registration of powered watercraft.

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

RECONSIDERATION OF HB 650

Senator BRIGHTBILL. Mr. President, I move the Senate do now reconsider the vote by which House Bill No. 650, Printer's No. 2686, just passed finally.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

LEGISLATIVE LEAVES

Senator BRIGHTBILL. Mr. President, I neglected to ask for a legislative leave for Senator Hess and request that leave at this time.

Senator MELLOW. Mr. President, I ask temporary legislative leave for Senator Lynch.

The PRESIDENT. Senator Brightbill asks legislative leave for Senator Hess. Senator Mellow asks temporary legislative leave for Senator Lynch. The Chair hears no objection. Those two leaves will be granted.

And the question recurring,
Shall the bill pass finally?

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

YEAS—50

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

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

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.

SPECIAL ORDER OF BUSINESS

GUESTS OF SENATOR MICHAEL A. O'PAKE PRESENTED TO SENATE

Senator O'PAKE. Mr. President, it is my privilege to introduce to this Body the first woman in the history of the United States ever to serve as a State Commander of the American Ex-prisoners of War. She is Mrs. Cay Burns from Morrisville, Pennsylvania, and she is visiting the Capitol today. With her is a very hardworking Democratic Committeewoman from Morrisville, Miss Brenda Worob, and I would like the Chair to extend its usual warm welcome to these distinguished visitors.

The PRESIDENT. Would the guests of Senator O'Pake please rise so we can welcome you to the Chamber of the Senate of Pennsylvania.

(Applause.)

GUESTS OF SENATOR D. MICHAEL FISHER PRESENTED TO SENATE

Senator FISHER. Mr. President, it is my privilege to introduce three ladies from Allegheny County, one of whom is from my district, who are here with the Allegheny Intermediate Unit. They are Jean Harrington from Bethel Park, Pauline Johnstone from Wexford and Maureen Dougherty from Pittsburgh. Maureen is President of the AIU Education Association.

The PRESIDENT. Would the Senators please join me in welcoming the guests of Senator Fisher to the Chamber.

(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair also neglected to point out the presence of Senator Holl on the floor. It should be noted that Senator Holl was present and voting for the first roll call vote and remains with us.

SPECIAL ORDER OF BUSINESS

DR. GRZEGORZ BOGUTA WELCOMED TO SENATE

The PRESIDENT. It is with a great deal of pleasure that I introduce to the Senate Mr. Grzegorz Boguta. Mr. Boguta is the consultant to the Minister of Culture and Arts in Warsaw, Poland. He holds a Ph.D. in bio-physics from Warsaw University. He is also the publisher and director of NOWA, which is Poland's most recognized authority on Solidarity and governmental matters. Of interest is that Mr. Boguta also spent a year in prison, imprisoned by martial law under the previous regime, where he completed his doctoral thesis. Since that time he has been an active, key member of the Solidarity movement. He has been a foremost authority in the publishing movement in Poland. He was appointed by Lech Walesa as publisher for the special commission on Solidarity and has been a very close advisor to Lech Walesa. It is appropriate that as we are noticing major changes in Eastern Europe, and furthermore at the same exact time that Lech Walesa is addressing a Joint Session of Congress, that we have with us one of the key advisors to the Solidarity movement and one of the key personal friends of Lech Walesa to address us today in the Pennsylvania Senate. With Mr. Boguta are Ed Hoffman and Claire Hoffman. Would you stand, please. Louis and Louise Bocian and Grzegorz Boguta's wife, Magda.

It is with a great deal of pride and gratitude that we welcome Mr. Grzegorz Boguta to the Senate of Pennsylvania and would ask if you would share a few comments with us at this time. Dr. Boguta.

(Applause.)

Dr. BOGUTA. Thank you, President Singel. Thank you, Senator Jubelirer. Thank you, Members of the Senate, for this opportunity to address you. Since most of my life is devoted to analyzing history and to publishing truth to my readers, I feel compelled to share with you some of these historical facts about Poland during the past forty-five years.

In 1945, the Allies divided Europe into East and West and gave the East to Stalin and the Communist government. The Poles have never accepted the Communist system. Poland never received any Marshall Plan money because of political reasons. The Soviets took all of the war reparation money intended for Poland and retained it for themselves.

In the 1970s, the Western governments gave economic aid to the Communist government of Poland ostensibly to support the weakened totalitarian system in Eastern Europe. This aid amounted to approximately \$20 billion. The people of Poland, rightfully, could not understand this massive support from the Western governments to the Communists. Even today it continues to be questioned by Poles as to the logic behind this action.

Poland today is in need of a major infusion of financial support. We know that the U.S. government is intending to provide substantial assistance to the Polish government. Along with that governmental aid, the new, non-communist Polish government has opened the door for Western invest-

ment and for help in creating a normal free economy in Poland.

I am requesting today that those of you who are present in this Senate consider ways that Pennsylvania can make a major contribution to assist in the new Polish government to create the free market economy so vital to our success. Lech Walesa is now in the United States as the guest of your government and being hosted by the AFL/CIO, reiterating his invitation to your government and to your private sector to invest in Poland. Mr. Walesa urges you to meet with Polish partners and with our business people to create trade agreements for establishment of business in Poland. Mr. Walesa has said very often, I do not want to ask for your help with my hand out. I offer you new possibilities of making business in Poland. I am in the United States to contact many individuals and businesses who are preparing to establish trade relationships in Poland. I am asking your Senate Body to consider ways that you can assist me in attracting economic support through your legislative Body and through the influence you exert on the private sector. I have been attending meetings with an independent entrepreneur and various reputable companies in this area of Central Pennsylvania. By making these contacts, I am in the process of forming a joint venture with this independent entrepreneur, Louis Bocian of Hershey, to legalize the Pennsylvania-Poland Partnership. Our purpose is to encourage Pennsylvania companies to accompany Mr. Bocian on a trade mission to Poland to communicate with Polish government officials and to meet with Polish businessmen who wish to form trade relations with Pennsylvania companies. It is obvious to me that an investment in Poland by Pennsylvania based companies would have economic benefits for Poland and for Pennsylvania mutually. Your investment in my country will provide necessary commodities for my people and result in profits generated back to Pennsylvania. One of my major responsibilities as a consultant with the Polish government is to develop legislation on a broad range of matters regarding the economic, political and social changes taking place in Poland today. I am urging you, the Pennsylvania Senate, to advise me of your thinking on matters that could constructively affect the new democratic government taking shape in Poland today. I would request certain considerations from you as follows: That your Senate would issue a proclamation to make December 1989 Solidarity with Poland month; and you would issue a public endorsement of support for the development of private sector investments in Poland and urge your constituents to participate. I would urge your support to assist in the forming of the Pennsylvania-Poland Partnership of which I can be the Polish partner. I would urge that the Senate provide financial aid to support the development of the Pennsylvania-Poland Partnership in their efforts to organize a trade mission to Poland in early 1990. I would urge Lt. Governor Singel and one or two of your Senate Body to accompany the Pennsylvania-Poland Partnership on its initial trade mission to Poland. I would urge one or two of your Members to meet with Mr. Bocian to identify his needs and to assure financial support to the Pennsylvania-Poland Partnership.

In closing, let me thank you for this invitation to speak to you on behalf of the new democratic government of Poland. We will succeed in our quest. Nothing can stop us now, but how fast we succeed and how successful our lives will be will be somewhat dictated by people like you and how you respond to our invitation to join us in this great experiment. I am not asking for a handout, I am asking you to give us support to help Poland to help itself. Support the private initiatives that are being formed. Please give consideration to entrepreneurs such as the Pennsylvania-Poland Partnership to help them in their efforts. Thank you, President Singel; thank you, Senator Jubelirer. Thank you very much.

(Applause.)

The PRESIDENT. Thank you very much, Dr. Boguta. You have given us an ambitious agenda, and I note that several of the Senators are already signing up for the first trade mission to Poland.

LEGISLATIVE LEAVE

Senator MELLOW. Mr. President, I request a legislative leave for the remainder of today's Session for Senator Andrezeski.

The PRESIDENT. Senator Mellow requests legislative leave for Senator Andrezeski. The Chair hears no objection. The leave will be granted.

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 818 (Pr. No. 1629) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), entitled, as amended, "Housing Finance Agency Law," further providing for expiration.

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—50

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

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 1046 (Pr. No. 1665) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for automatic retirement of judges and district justices.

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 BELL. Mr. President, I just briefly read the bill and I think we have had this in front of us before. As I read it, it appears that a judge is 70 on the last day of the year of his birthday, rather than on his birthday. I just do not understand this.

Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Greenleaf.

The PRESIDENT. Will the gentleman from Montgomery, Senator Greenleaf, permit himself to be interrogated?

Senator GREENLEAF. I will, Mr. President.

Senator BELL. Mr. President, I am not opposing it, but I want to know why.

What I want is for the sponsor to explain the rationale behind the fact that when somebody is 70 years old, you should take the year of his being 70, rather than the day he was 70.

Senator GREENLEAF. Mr. President, the bill takes the position that it is a reasonable interpretation to say those individuals, yes, they have reached an age of 70 at their birthdate, but they continue to be 70 for the following calendar year. This would allow a judge to retire during his 70th birthday year in conformance to the mandatory retirement age, but allow him to retire at the end of that year. It would be a much more efficient administrative way of handling retirements rather than having a judge, for example, retire in February and then have a vacancy until the end of the year or until an election is held. So I think it is a much more orderly way of handling the situation and meets the constitutional and statutory requirements.

Senator BELL. Mr. President, I thank the gentleman.

Now to just say something on the bill. In other words, the Chairman of the Committee on Judiciary, it is my understanding, has looked into this and assures us that this is constitutional, and when we pass this bill, as I am sure we will, it will then be legislative intent that is expressed in a statute that a person is 70 the whole year he is 70.

Senator O'PAKE. Mr. President, as in prior Sessions when we passed this bill, I would, respectfully beg to differ. I do not think we can change the Constitution by passing a statute. The Constitution is very clear and despite the best intentions of those who would like to see judges serve longer, i.e., until the last day of the year in which they turn 70, that is not what the Constitution says. I think if we want to change that, we

have to change the Constitution and not pass a statute. Therefore, once again, I will have to oppose this.

Senator BELL. Mr. President, I desire to interrogate the gentleman from Berks, Senator O'Pake.

The PRESIDENT. Will the gentleman from Berks, Senator O'Pake, permit himself to be interrogated?

Senator O'PAKE. I will, Mr. President.

Senator BELL. Mr. President, does the gentleman have a copy of the Constitution at hand?

Senator O'PAKE. Mr. President, no, I do not.

Senator BELL. Mr. President, does the gentleman know what section it is?

Senator O'PAKE. Mr. President, no, I do not. I am just doing this from memory. We did the same thing in the last Session and tried to change the Constitution by passing this type of statute. It died in the House, fortunately, and the same reasoning that applied, and I think you agreed with me then, I think has to apply once again.

Senator BELL. Mr. President, after last night, I find I cannot agree with anybody on anything.

Senator O'PAKE. Mr. President, I now have a copy of the Constitution. It is Article V, Section 16, subsection (b), which says, "Justices, judges and justices of the peace shall be retired upon attaining the age of seventy years."

Senator BELL. Mr. President, but it does not say on attaining the birthday of the 70th year?

Senator O'PAKE. Mr. President, it says upon attaining the age of 70 and you attain the age of 70 on your 70th birthday.

Senator BELL. Mr. President, therefore, Senator Greenleaf's and your interpretation differ as to what this means?

Senator O'PAKE. Mr. President, I think the plain meaning is that when you attain the age of 70, you attain it on your 70th birthday and not at the end of that year.

Senator BELL. Mr. President, I think last night I learned that the plain meaning has fifty different interpretations.

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—46

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

NAYS—4

Lincoln	O'Pake	Porterfield	Stout
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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 present said bill to the House of Representatives for concurrence.

BILL REREFERRED

SB 1048 (Pr. No. 1220) — The Senate proceeded to consideration of the bill, entitled:

An Act repealing section 2.2 of the act of May 29, 1935 (P. L. 244, No. 102), entitled "Local Government Commission Law," relating to responsibility for printing.

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

BILLS OVER IN ORDER

SB 1067 and 1070 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1164 (Pr. No. 1436) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 3, 1985 (P. L. 164, No. 45), entitled "Emergency Medical Services Act," providing for the prevention of infectious diseases.

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—50

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

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 1165 (Pr. No. 1437) — The Senate proceeded to consideration of the bill, entitled:

An Act providing a pilot program to establish a pilot Pediatric AIDS Institute Program; and making an appropriation.

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—50

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

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 1166 (Pr. No. 1709) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the recording and reporting of certain laboratory tests; and imposing additional powers and duties on the Secretary of Health.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 1774 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1886 (Pr. No. 2419) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Township of Lower Paxton, Dauphin County, being conveyed by the township, in return for the imposition of Project 70 restrictions on certain lands being conveyed to the township.

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—50

Table with 4 columns of names: Afflerbach, Andrezeski, Armstrong, Baker, Belan, Bell, Bodack, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Helfrick, 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 without amendments.

SB 253 TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I move that Senate Bill No. 253, Printer's No. 1566, be taken from the table and placed on the Calendar.

The motion was agreed to.

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

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 482 (Pr. No. 1693) — The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS ON SECOND CONSIDERATION

SB 183 (Pr. No. 183) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581) entitled "The Borough Code," further providing for tax levy.

Considered the second time and agreed to,

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

SB 184 (Pr. No. 184) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further providing for tax levies.

Considered the second time and agreed to,

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

SB 185 (Pr. No. 185) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for township tax levies.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 202 and SB 266 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

HB 455 (Pr. No. 1311) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the utilization of field receipts.

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

BILLS OVER IN ORDER

HB 491, SB 594, 709 and HB 709 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 718 (Pr. No. 1706) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for community corrections programs as sentencing alternatives; conferring powers and duties on the Pennsylvania Commission on Crime and Delinquency; and making an appropriation.

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

BILLS ON SECOND CONSIDERATION

SB 731 (Pr. No. 795) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for expenses of nonemployee supervisors.

Considered the second time and agreed to,

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

SB 733 (Pr. No. 797) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1967 (P. L. 869, No. 385), entitled "Public Works Contractors' Bond Law of 1967," providing for financial security to protect certain contracting bodies.

Considered the second time and agreed to,

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

SB 741 (Pr. No. 1657) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled, as amended, "Public Auditorium Authorities Law," increasing the amount of contracts that may be awarded without competitive bids; and further providing for the purchase of supplies and materials.

Considered the second time and agreed to,

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

SB 743 (Pr. No. 807) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for the awarding of contracts.

Considered the second time and agreed to,

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

SB 744 (Pr. No. 808) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further regulating contracts, advertisements, specifications and bids for certain contracts.

Considered the second time and agreed to,

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

SB 745 (Pr. No. 809) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further regulating contracts, advertisements, specifications and bids for certain contracts.

Considered the second time and agreed to,

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

SB 746 (Pr. No. 810) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further regulating contracts; and further providing for advertising requirements.

Considered the second time and agreed to,

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

SB 749 (Pr. No. 1658) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), entitled, as amended, "Parking Authority Law," increasing the maximum amount for which an authority may contract or purchase without bids.

Considered the second time and agreed to,

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

SB 750 (Pr. No. 1659) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further providing for contract procedures, purchases and advertising for bids.

Considered the second time and agreed to,

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

SB 751 (Pr. No. 1660) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 29, 1937 (P. L. 526, No. 118), entitled, as reenacted and amended, "An act providing for and regulating joint purchases by counties (other than counties of the first class), cities of the second and third class, boroughs, towns, townships, school districts, institution districts, and poor districts," increasing the amount of purchases that may be made without advertisement.

Considered the second time and agreed to,

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

SB 752 (Pr. No. 1661) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), entitled "Intergovernmental Cooperation Law," further providing for joint purchases and competitive bidding.

Considered the second time and agreed to,

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

SB 753 (Pr. No. 1662) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1936 (Sp. Sess., P. L. 95, No. 38 1/2), entitled "An act to authorize and empower

cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate;...." further regulating purchases and bidding on such purchases.

Considered the second time and agreed to,

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

HB 837 (Pr. No. 955) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for the sale of township real property.

Considered the second time and agreed to,

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

HB 838 (Pr. No. 956) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the sale of borough real property.

Considered the second time and agreed to,

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

HB 839 (Pr. No. 957) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for the sale of township real property.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 848 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 857 (Pr. No. 963) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 12, 1972 (P. L. 781, No. 185), entitled, as amended, "Local Government Unit Debt Act," further defining "project"; including capital costs as project costs; further providing for small borrowing for capital purposes; providing for self insurance; and further providing for the determination of the useful life of projects.

Considered the second time and agreed to,

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

SB 858 (Pr. No. 964) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further defining "project"; defining "local government unit" and "provide

financing for insurance reserves"; and providing for financing of insurance reserves.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 889 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 894 (Pr. No. 1023) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the filling of a vacancy in the office of jury commissioner.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 895 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 932 (Pr. No. 1061) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," authorizing the mayor to employ outside counsel where a legal dispute exists between the mayor and council.

Considered the second time and agreed to,

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

SB 957 (Pr. No. 1087) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILLS REREFERRED

HB 1038 (Pr. No. 2687) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for collection of money in criminal actions.

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

SB 1063 (Pr. No. 1688) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the payment of costs incurred in the apprehension, prosecution and detention of children who escape or commit crimes while under commitment in an approved delinquency program.

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

SB 1068 (Pr. No. 1259) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing a program of financial assistance to counties for the incarceration of certain offenders; providing for administration by the Pennsylvania Commission on Crime and Delinquency; providing for an audit of funds disbursed pursuant to such program; and making an appropriation.

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

SB 1072 (Pr. No. 1707) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 16, 1968 (P. L. 351, No. 173), entitled, as amended, "Prisoner Pre-release Plan Law," providing for an electronic surveillance program; and making editorial changes.

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

BILL ON SECOND CONSIDERATION

SB 1133 (Pr. No. 1382) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for grants or appropriations to historical societies.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 1252 (Pr. No. 1548) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 25, 1929 (P. L. 694, No. 297), entitled "An act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries," requiring Commonwealth per diem payments to counties for State prisoners housed in county correctional facilities.

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

BILLS ON SECOND CONSIDERATION

SB 1273 (Pr. No. 1585) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 1, 1981 (P. L. 279, No. 94), entitled "An act providing for shade trees in incorporated towns," further providing for the membership of shade tree commissions.

Considered the second time and agreed to,

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

SB 1291 (Pr. No. 1608) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for the location and storage of public records, for fees for copying certain public records, for expenses of county officers for attending annual association meetings, for publication of the controller's report, for contracts in emergency situations, for contracts not requiring advertisement and bidding, for the governing body and powers of a residential finance authority, for grave markers, for the appointment of assistant fire marshals, and for the title acquired in condemnation proceedings; and making an editorial change.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1307, 1324, 1332 and 1333 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 1335 (Pr. No. 2076) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," increasing the maximum amount for which authorities may contract or purchase without bids; prohibiting evasion of requirement to advertise for bids; and providing for purchases that are not subject to advertisement and bidding.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 1340 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

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 convene off the floor to consider Senate Bill No. 122 and certain nominations.

RECESS

Senator LOEPER. Mr. President, at this time I request a recess of the Senate for the purpose of a short meeting of the Committee on Rules and Executive Nominations to take place immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations to begin

immediately at the rear of the Chamber, the Senate will stand in recess.

AFTER RECESS

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

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF COSMETOLOGY

September 15, 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, Paula (Standish) Severino, 10 North Market Street, Apartment 503, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve until November 24, 1989 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice George J. Moccio, Ambler, resigned.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

October 11, 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, George R. Scanlon, 119 Orchard Street, Franklin 16323, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

October 11, 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 Winkler, R. D. 1, Box 384, Franklin 16323, Venango County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified, vice Edmund D. Dean, Meadville, resigned.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—50

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

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.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator BRIGHTBILL, by unanimous consent, reported from the Committee on Rules and Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

RECORDER OF DEEDS, REGISTER OF WILLS AND CLERK OF THE ORPHANS' COURT, ARMSTRONG COUNTY

November 14, 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 September 7, 1989 for the appointment of Donna L. Livengood, 1239 Fourth Avenue, Ford City 16226, Armstrong County, Forty-first Senatorial District, as Recorder of Deeds, Register of Wills and Clerk of the Orphans' Court, in and for the County of Armstrong, to serve until the first Monday of January, 1990, vice The Honorable Henry Livengood, deceased.

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

ROBERT P. CASEY.

TREASURER, CUMBERLAND COUNTY

November 14, 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 July 3, 1989 for the appointment of Dennis G. Hursh, 1105 West Powderhorn Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as Treasurer, in and for the County of Cumberland, to serve until the first Monday of January, 1990, vice Jerry L. Nailor, resigned.

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

ROBERT P. CASEY.

TREASURER, LEBANON COUNTY

November 14, 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 October 12, 1989 for the appointment of Ernest P. Zserai, Box 987, R. D. 1, Jonestown 17038, Lebanon County, Forty-eighth Senatorial District, as Treasurer, in and for the County of Lebanon, to serve until the first Monday of January, 1990, vice Lois J. Bomberger, resigned.

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

ROBERT P. CASEY.

MEMBER OF THE JEFFERSON COUNTY
BOARD OF ASSISTANCE

November 14, 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 14, 1989 for the appointment of Anthony Test (Democrat), 510 North Main Street Rear, Punxsutawney 15767, Jefferson County, Forty-first Senatorial District, as a member of the Jefferson County Board of Assistance, to serve until December 31, 1990, and until his successor is appointed and qualified, vice Perry F. Dinger, Brookville, resigned.

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

ROBERT P. CASEY.

NOMINATIONS RETURNED TO THE GOVERNOR

Senator BRIGHTBILL. Mr. President, I move the nominations just read by the Clerk be returned to His Excellency, the Governor.

The motion was agreed to.

The PRESIDENT pro tempore. The nominations will be returned to the Governor.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

UNFINISHED BUSINESS

REPORT FROM COMMITTEE

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

SB 122 (Pr. No. 1153)

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for certain annual assessments; providing for the standard of care and liability of retirement board members; further providing for payments into the fund, for the amount of retirement allowances, for eligibility for retirement allowances, for interest on contributions and for requirements for credit for previous service; and further providing for publication of the controller's report.

SENATE RESOLUTION

**CONGRATULATING THE PENNSYLVANIA
RADIOLOGIC TECHNICIANS ON "RADIOLOGIC
TECHNOLOGISTS WEEK," NOVEMBER 6
THROUGH NOVEMBER 12, 1989**

Senators GREENLEAF, JUBELIRER, SHUMAKER, REIBMAN, HELFRICK, PECORA, SCANLON, O'PAKE, SALVATORE, MELLOW and LEMMOND offered the following resolution (Senate Resolution No. 117), which was read, considered and adopted:

In the Senate, November 15, 1989.

A RESOLUTION

Congratulating the Pennsylvania Radiologic Technicians on "Radiologic Technologists Week," November 6 through November 12, 1989.

WHEREAS, Since the discovery of X-rays by Wilhelm Roentgen, radiologic technology has become an important medical tool in the treatment of illness and injury; and

WHEREAS, Radiologic Technologists use radiation for diagnostic and therapeutic purposes; and

WHEREAS, These dedicated health-care professionals work under the direction of a radiologist or other licensed practitioner; and

WHEREAS, Radiographers—technologists who perform radiologic procedures for diagnoses—provide physicians with images for treating illnesses and injuries; and

WHEREAS, Radiation Therapists apply radiation as part of cancer treatment under the direction of a physician; and

WHEREAS, Organizations such as the Pennsylvania Society of Radiologic Technologists work to ensure that patients receive the highest quality of care in radiology treatment; therefore be it

RESOLVED, That the Senate of Pennsylvania extend congratulations to those working in the field of radiologic technology in this Commonwealth on the occasion of "Radiologic Technologists Week," November 6 through November 12, 1989.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to the First Assembly of God Church of Lancaster by Senator Armstrong.

Congratulations of the Senate were extended to Dr. William M. Fronczek, Aggie Brose, North Catholic High School of Pittsburgh and to the First Congregational Church of Etna by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. Lee B. Marks by Senator Brightbill.

Congratulations of the Senate were extended to Stella M. Witmer by Senators Brightbill and Hopper.

Congratulations of the Senate were extended to Madeline M. Reigle, Dorothy F. Reigle, Mr. and Mrs. John P. Gallagher, Mr. and Mrs. John J. Zook, Mr. and Mrs. Kenneth A. Reed Sr., Mr. and Mrs. Donald Rush, Mr. and Mrs. Richard Richmond and to Mr. and Mrs. Benjamin Price by Senator Corman.

Congratulations of the Senate were extended to Frank J. Lucchino by Senator Dawida.

Congratulations of the Senate were extended to Maurice E. Cheeks by Senator Fattah.

Congratulations of the Senate were extended to Joseph Walter Philips by Senator Fisher.

Congratulations of the Senate were extended to William Sams by Senator Greenleaf.

Congratulations of the Senate were extended to Ryan W. Kaiser by Senator Greenwood.

Congratulations of the Senate were extended to Mr. and Mrs. James Washburn and to Mr. and Mrs. Harold J. Longenberger by Senator Helfrick.

Congratulations of the Senate were extended to Annie L. Adams and to Dorothy J. Washington by Senator Jones.

Congratulations of the Senate were extended to Mr. and Mrs. George E. Hileman, Mr. and Mrs. Bernard Porta and to Mr. and Mrs. Robert Ulsh by Senator Jubelirer.

Congratulations of the Senate were extended to Shawn R. Shockey by Senator Lincoln.

Congratulations of the Senate were extended to Dr. Helen F. North and to Albert J. Fanelli by Senator Loeper.

Congratulations of the Senate were extended to Robert M. Dohman and to Mr. and Mrs. Charles G. Musto by Senator Musto.

Congratulations of the Senate were extended to Gary L. Rain and to McKean County Visiting Nurse Association by Senator Peterson.

Congratulations of the Senate were extended to Reverend Carl Borger and to Christopher Scott Brommer by Senator Rhoades.

Congratulations of the Senate were extended to Herbert D. Toplan by Senator Salvatore.

Congratulations of the Senate were extended to Mr. and Mrs. Domenick Pecano, Mr. and Mrs. Paul Shannon, Mr. and Mrs. John E. Banyay, Mr. and Mrs. Loyal Park and to Mr. and Mrs. Loyal C. Craig by Senator Shaffer.

Congratulations of the Senate were extended to Charlotte B. Stewart, Mr. and Mrs. George Moore and to WITF TV 33-89.5 F.M. of Harrisburg by Senator Shumaker.

Congratulations of the Senate were extended to Joseph Miller and to Larry Evans by Senators Shumaker and Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Homer W. Hankinson by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Babik by Senator Stewart.

Congratulations of the Senate were extended to Mr. and Mrs. John Bell and to Mr. and Mrs. Clyde Robison by Senator Stout.

Congratulations of the Senate were extended to Doris Jean DeWeese, Tracie Marie Knauff, Christina Lee McDonnell and to Denise Lucile Rupert by Senator Wilt.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 539, 933, 1013, 1152 and 1259.

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

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Tuesday, November 28, 1989, at 2:00 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 12:27 p.m., Eastern Standard Time.