

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 12, 1990

SESSION OF 1990 174TH OF THE GENERAL ASSEMBLY

No. 38

### SENATE

TUESDAY, June 12, 1990.

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. JEFF OSGOOD, Pastor of Lakeside Baptist Church, McMurray, offered the following prayer:

Distinguished Senators, our Honorable Lieutenant Governor and guests, may we pray.

O God, we thank You that this day we can commit to You. You have been a mighty fortress. You have helped us in days past. We ask and pray that as we commit this Session to You, the business of this country, the many ills that we find and face, that You will continue to preserve and protect us, that You will give wisdom and guidance to this Body of Senators.

We thank and praise You for the defense of our country, for the many blessings of freedom. Lord, continue to grant us freedom and prosperity.

We pray now for each Senator, for their families, for their health and their well-being. We pray and commit them to You. Grant them wisdom. We pray in Christ's name. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 11, 1990.

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

### 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:

Weekly Adjournment.

### BILL SIGNED

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

**SB 858.**

### REPORTS FROM COMMITTEES

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

**SB 1284 (Pr. No. 2286) (Amended)**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, relating to laws that require political subdivisions to spend funds or that limit the ability of political subdivisions to raise revenue.

**SB 1325 (Pr. No. 2287) (Amended)**

An Act regulating the fiduciary affairs of local government employee retirement systems by providing for persons defined to be fiduciaries, fiduciary activities subject to regulation, general standards of fiduciary conduct, specific, supplemental fiduciary standards, liability for fiduciary breaches, including breaches by other fiduciaries, delegation and allocation of fiduciary activities, fiduciary insurance and bonding; providing for penalties; and making repeals.

**SB 1445 (Pr. No. 1916)**

An Act amending the act of December 31, 1965 (P. L. 1257 No. 511), entitled "The Local Tax Enabling Act," authorizing political subdivisions to increase the rate of the earned income and net profits tax subject to approval in a voter referendum; and authorizing counties to impose a limited earned income tax subject to approval in a voter referendum.

**HB 502 (Pr. No. 3264)**

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

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

**SB 1036 (Pr. No. 1208)**

An Act providing for the allocation, administration and use of Federal Small Cities Community Development Block Grant funds.

**SB 1561 (Pr. No. 2097)**

An Act creating the New Rural Local Economic Development Fund; providing for administration of local development districts and programs; and making an appropriation.

**SB 1562 (Pr. No. 2285) (Amended)**

An Act providing for the establishment, operation and administration of Enterprise Planning Zones, Enterprise Development Zones and Enterprise Investment Zones; creating a Housing Assistance Recovery Fund; and imposing additional powers and duties on the Department of Community Affairs.

**SB 1563 (Pr. No. 2099)**

An Act amending the act of May 31, 1956 (1955 P. L. 1911, No. 635), entitled "Industrial Development Assistance Law," providing for matching economic development grants; and making an appropriation.

**SB 1564 (Pr. No. 2100)**

An Act establishing the Hardwood Loan Fund; creating a board; requiring eligibility; providing administration; guaranteeing loans; and requiring reports.

**HB 2179 (Pr. No. 3088)**

An Act providing for the creation of tax increment districts; providing for additional powers and duties to be exercised by redevelopment authorities and by industrial and commercial development authorities; authorizing the creation and approval of project plans for tax increment financing; providing for the establishment of a tax increment base; allocating the payment of positive tax increments; providing for the financing of project costs; and providing for the issuance of tax increment bonds and notes.

**LEGISLATIVE LEAVES**

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

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Fattah and Senator Jones. The Chair hears no objection. Those leaves will be granted.

**LEAVES OF ABSENCE**

Senator BRIGHTBILL asked and obtained leaves of absence for Senator ARMSTRONG and Senator HOPPER, for today's Session, for personal reasons.

**CALENDAR**

**SB 1299 CALLED UP OUT OF ORDER**

**SB 1299 (Pr. No. 1620)** — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1299 (Pr. No. 1620)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of farm truck plates.

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—48**

Afflerbach	Greenleaf	Lynch	Rocks
Andrezeski	Greenwood	Madigan	Salvatore
Baker	Helfrick	Mellow	Scanlon
Belan	Hess	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart
Corman	LaValle	Porterfield	Stout
Dawida	Lemmond	Punt	Tilghman
Fattah	Lewis	Regoli	Wenger
Fisher	Lincoln	Reibman	Williams
Fumo	Loeper	Rhoades	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 present said bill to the House of Representatives for concurrence.

**SPECIAL ORDER OF BUSINESS  
1990 NATIONAL GEOGRAPHY BEE  
CHAMPION PRESENTED TO SENATE**

The PRESIDENT pro tempore. Mr. President, we are fortunate today to have with us a very distinguished Pennsylvanian and a celebrity who happens to come from my district, and I am very proud of her. Her name is Susannah Batko-Yovino, and she is the 1990 National Geography Bee Champion. She is an 11-year-old, sixth grade student at Altoona's Washington-Jefferson Elementary School who gained national attention by winning the National Geography Bee on Thursday, May 24th in Washington, D.C.

Mr. President, more than three million students nationwide from grades four through eight participated in various levels of the contest. They were from the 50 states, the District of Columbia, Guam, Puerto Rico, American Samoa, the Northern Mariana Islands, the U.S. Virgin Islands and the Department of Defense dependents' schools. At all levels of competition, the Geography Bee addressed not only place names, but broader aspects of geography, as well. Questions covered the distribution patterns of languages, religion, art, culture, economic activities and population and political systems.

Susannah began her championship march by winning the Geography Bee at her school in January. As school champion, she then received a certificate, a National Geographic Society book and an inflatable globe.

Next, each school winner took a written exam. By being one of one hundred top scoring students in Pennsylvania, Susannah qualified for the State Geography Bee, which was held here in Harrisburg on March 30th. She won that competition to become Pennsylvania champion and earned an expense-paid trip to the National Bee. She left Altoona on

May 22nd and was accompanied by her parents, who are here today, Dr. and Mrs. Stephen Yovino, of 402 Beaumont Drive in Altoona, and by her teacher, Mr. Dennis Bruno; who is also accompanying Susannah here.

In the preliminary round on May 23rd, Susannah did not miss one single question and was the only female to advance to the final round of ten students. A total of 57 students took part in the preliminary round.

Mr. President, the final round was moderated by Alex Trebeck of the popular TV game show Jeopardy. She defeated Tim Forrest, an eighth grade student—and she is only in sixth grade—at C. J. Hooker Middle School in Goshen, New York, for the championship. Her victory earned her a \$25,000 college scholarship from the National Geographic Society, and she received \$500 in cash and Amtrak tickets to any destination for a family of four.

Following her victory, Susannah was taken to New York City by National Geographic and interviewed on the ABC TV show "Good Morning America." A number of additional national television appearances are possible over the next few weeks as schedules permit. She also met with the Governor last week. The championship of the National Geography Bee was the result of intense preparation over the last several months. Susannah regularly spent up to four hours each day getting ready for the competition. She read and she read and she read, and she discussed various topics with her parents, her teachers and her classmates who also helped, making up questions that helped to prepare her for the competition. The National Geography Bee is sponsored by the National Geographic World, the Society's magazine for children, Amtrak and Kudos snacks.

Mr. President, I am extremely proud, as our entire community feels so very, very proud, of Susannah and her accomplishments. I think, frankly, Mr. President, the Members of the Senate will be as proud as we are as Pennsylvanians if she would have the opportunity to address them at this time.

The PRESIDENT. We will be very pleased if Susannah would join us for a few remarks at this time. Ladies and gentlemen, the 1990 Geography Champion, Susannah Batko-Yovino.

(Applause.)

Miss BATKO-YOVINO. Thank you. I am happy to be here today and I loved representing Pennsylvania at the National Geography Bee in Washington last month. At the bee I did not have to answer any questions specifically about Pennsylvania, but I could have. There is so much interesting geography in our state. For example, could you name three other cities, besides Harrisburg, that have been Pennsylvania's state capital? Of course, you know what the answer is: Chester, Lancaster and Philadelphia. You would have all done well at the finals of the National Geography Bee since you have to know so much about geography to govern a state like Pennsylvania. What was neat about the bee was feeling part of a much bigger world, although, as we all know, the world is shrinking.

After I won the bee, I called my grandparents in Pittsburgh to tell them the big news, and they said, we know, we watched it on CNN. My grandmother in Boston heard it on her car radio as soon as I won. So much for surprises. I even heard from people overseas. A woman from Altoona who was in Germany saw it on the news there, and I got a phone call from my pen pal in the Soviet Union to congratulate me. I even heard from a scientist who was doing research in Antarctica on Mt. Erebus, the now famous mountain that won me a scholarship. It really is a small world and that is why learning geography is so important.

In this country we have a lot of catching up to do. The Russian friend I told you about is one of two Soviet students who visited me in Altoona last fall. They spoke excellent English, but I was unable to speak Russian. They knew a lot about America, a lot more than we know about them. They knew a lot about American literature, history and music. I was amazed.

If my generation is going to catch up with the rest of the world, there is a lot we need to do. First of all, our schools need to teach geography earlier and make it more interesting. Geography is not just memorizing capitals and places. That is boring. Geography is looking for patterns and clues about the world around you and putting them together with other things you know. For example, in the bee, there were several questions about population pyramids that required the ability to read graphs, a skill I learned in math class, and I knew about Doppler radar from both my science book and general reading. I could not have answered these questions if I had only memorized facts.

The National Geographic Society is doing everything it can to put geography back into the schools and to make it more fun. They not only hold the National Geography Bee every year, but they have what are called geographic alliances to help teachers do a better job teaching geography. There is an alliance in Pennsylvania, and in the last three years they have trained over 2,000 teachers. I think that is great. I also think people my age need to read more and to develop a true interest in learning about our world. That is mostly how I have learned geography and there is no substitute for it. We have to learn languages. I would like to learn Chinese, Russian and Japanese, because those countries are so important to our future. We have to be just as excited about kids who are good students as those who are good athletes. We call star athletes "heroes" but we call good students "nerds." That is not right. Kids should be as proud to be good students as they are of any other abilities they have.

In closing, I would just like to say that I did not win the National Geography Bee alone. I would like to thank my parents for encouraging my interest in the world since I was little and for taking me everywhere they go. I want to thank my teacher, Mr. Bruno, and my classmates. Mr. Bruno has a special way of bringing out the best in a student.

Last, I would like to thank Senator Jubelirer for inviting me, and you for the privilege of speaking to you today.

(Applause.)

The PRESIDENT. The Chair thanks Susannah and all of the guests of Senator Jubelirer, and particularly the speaker for those very informative remarks.

#### **GUESTS OF SENATOR JOHN J. SHUMAKER PRESENTED TO SENATE**

Senator SHUMAKER. Mr. President, seated in the balcony are my guests Matthew Lenker and his grandmother, Mrs. Helen Dietz, of Harrisburg. Matthew is from Hummelstown and has just completed the fourth grade at Rutherford Elementary School where he plays the drums in the school band and orchestra. He came down at this young age because he is very much interested in the political process, and it was obvious in talking to him that he knows a lot about this process. I would ask that my colleagues accord the same usual and warm welcome to these guests of the Senate.

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

(Applause.)

#### **GUESTS OF SENATOR D. MICHAEL FISHER PRESENTED TO SENATE**

Senator FISHER. Mr. President, I have two sets of guests here from my district who I would like to introduce separately.

First of all, we have here Jennifer Randazzo who was the first place winner of the primary division in the ninth annual Pennsylvania Citizens for Better Libraries Essay Contest. Jennifer is a resident of Castle Shannon. She attends Vernridge School. She is accompanied here by her parents, Mr. and Mrs. Philip Randazzo, and the Librarian, Sharon Marrs. I would ask the Senate to give its usual warm and gracious welcome to Jennifer Randazzo, her librarian and her parents.

The PRESIDENT. Would Miss Randazzo and her escorts please rise so we could welcome you to the Senate of Pennsylvania.

(Applause.)

Senator FISHER. Mr. President, secondly, this week we have previously recognized Jeffrey Osgood who is our Chaplain from Lakeside Baptist Church in my district, but Pastor Osgood is also accompanied here this week by his wife Cathy, his daughter Hannah and their sons Andrew and Timothy, as well as his parents, Reverend James and Mary Jane Osgood of Middleburg, Pennsylvania. The Osgood family, though, is from McMurray, Pennsylvania, in Peters Township in my district. I would ask if we would give our usual warm welcome to the Osgood family.

The PRESIDENT. Would the Osgood family and their guests and friends please rise so we could welcome you to the Chamber.

(Applause.)

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

Senator O'PAKE. In the same family, Mr. President, are the grandparents of our Chaplain of the Senate today who are constituents of mine. They are Francis and Margaret Neidert from the City of Reading.

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

(Applause.)

Senator O'PAKE. Mr. President, following up on our eloquent young speaker's remarks, also in the gallery are participants in the International Exchange Program. They are employees of the Tengelmann Group out of Germany representing various countries here: Germany, Italy, Hungary, Austria and Holland. They are studying this summer at St. Joseph's University which has a new school for international trade, development and diplomacy. They are learning our culture and business techniques. They are here with two of the staff of St. Joseph's University, Christine Kazmer and Cathy Palm. I would ask the Chair to extend its friendly welcome to our guests from Germany, Hungary, Italy, Austria and Holland who are in the gallery today studying the political process in Pennsylvania.

The PRESIDENT. Would all of our distinguished foreign visitors and all of the friends of Senator O'Pake please rise so we can welcome you to the Senate of Pennsylvania.

(Applause.)

#### **GUESTS OF SENATOR EDWIN G. HOLL PRESENTED TO SENATE**

Senator HOLL. Mr. President, we have another primary division essay contest winner with us today, and I am pleased to present to the Senate Frederick Williams of Pottstown, Pennsylvania. Frederick is accompanied by his mother, Mrs. Joy Ji Williams, and his school librarian, Mrs. Sandra Hanson. Frederick Williams is a second grader at Rupert Elementary School in Pottstown and is a second place winner in the primary division 1990 essay contest. The title of his essay is, "My Library Is A Happy Place." Will you please extend the usual warm welcome of the Senate.

The PRESIDENT. Will the guests of Senator Holl please rise so we can welcome you and congratulate you at the same time.

(Applause.)

#### **GUESTS OF SENATOR TIM SHAFFER PRESENTED TO SENATE**

Senator SHAFFER. Mr. President, it is my pleasure to introduce today from the gallery Jenny Kim and her parents, Dr. and Mrs. Tae Woo Kim, from New Castle, Pennsylvania. Jenny recently received second place in the Pennsylvania Citizens for Better Libraries 1990 Essay Contest in the elementary division. Jenny is a sixth grade student at Neshannock Ele-

mentary School in Lawrence County. Her prize-winning essay was written on the subject, "The Importance of a Library." Winning this honor means she is one of six students in the entire Commonwealth to achieve an award from thousands of participants. Along with Jenny today is Bonita Salmen, the librarian from the Neshannock Elementary School.

Mr. President, please have this Body recognize these fine Pennsylvania citizens.

The PRESIDENT. Will the guests of Senator Shaffer please rise so we can congratulate you and welcome you to the Senate of Pennsylvania.

(Applause.)

#### **GUESTS OF SENATOR JAMES C. GREENWOOD PRESENTED TO SENATE**

Senator GREENWOOD. Mr. President, there are people left in the gallery who have not yet been introduced. They are from Bucks County and they are my campaign manager, Gail Hawreny; the assistant campaign manager, Pat Henderson; and our campaign bookkeeper, Margie Rex. They did not win the geography bee, but they found their way from Bucks County to Harrisburg and for that I think they deserve a warm Senate welcome.

The PRESIDENT. Would the guests of Senator Greenwood please rise so we can welcome you to the Senate of Pennsylvania.

(Applause.)

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

Senator GREENLEAF. Mr. President, I offer to the Senate more visitors. First of all, David Fischer who is an essay winner of the Pennsylvania Citizens for Better Libraries. He was chosen from thousands of participants, as were some of the other winners here today. He is a senior at Cheltenham High School. He is accompanied by his mother Stephanie, his brother and Joan Rosen, the Cheltenham Township Librarian.

The PRESIDENT. Would the guests of Senator Greenleaf please rise so we can welcome you to the Senate of Pennsylvania.

(Applause.)

The PRESIDENT. The Chair would also extend a warm welcome to everybody else in the gallery who was not introduced.

#### **LEGISLATIVE LEAVE CANCELLED**

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

#### **SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Judiciary to meet in the Rules Committee room immediately upon the recess to consider House Bill No. 2116.

#### **LEGISLATIVE LEAVES**

Senator MELLOW. Mr. President, I would like to place Senator Dawida, Senator Porterfield and Senator Regoli on temporary Capitol leaves.

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

#### **LEGISLATIVE LEAVE CANCELLED**

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

#### **RECESS**

Senator BRIGHTBILL. Mr. President, I would ask for a recess of the Senate for purposes of the meeting of the Committee on Judiciary which has just been announced and for a Republican caucus which will be held shortly thereafter. We will make an announcement on the caucus.

Senator MELLOW. Mr. President, could Senator Brightbill tell us when the Majority Party anticipates coming back on the floor for this afternoon's Session?

Senator BRIGHTBILL. I would estimate 4:00 p.m., Mr. President.

Senator MELLOW. Mr. President, immediately upon the conclusion of the meeting of the Committee on Judiciary, I would request that all Democrat Members of the Senate report to our caucus room.

The PRESIDENT. For purposes of a meeting of the Committee on Judiciary to begin immediately, followed by Republican and Democratic caucuses, the Senate will now stand in recess.

#### **AFTER RECESS**

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

#### **LEGISLATIVE LEAVES**

Senator LINCOLN. Mr. President, I would request temporary Capitol leaves for Senator Fattah, Senator Williams and Senator Jones.

Senator LOEPER. Mr. President, I request a temporary Capitol leave on behalf of Senator Shumaker.

The PRESIDENT. Senator Lincoln requests temporary Capitol leaves for Senator Fattah, Senator Williams and Senator Jones. Senator Loeper requests a temporary Capitol leave on behalf of Senator Shumaker. The Chair hears no objection. Those leaves will be granted.

### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AMENDED

**SB 1478 (Pr. No. 1954)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an additional appropriation to the Department of Public Welfare for use in County Mental Health/Mental Retardation Programs to provide family-oriented intervention services for children with disabilities.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator LINCOLN, on behalf of Senator WILLIAMS, by unanimous consent, offered the following amendment No. A1769:

Amend Title, page 1, line 1, by striking out "additional"

Amend Sec. 1, page 1, line 9, by striking out "1989" and inserting: 1990

Amend Sec. 1, page 1, line 9, by striking out "1990" and inserting: 1991

Amend Sec. 2, page 2, lines 2 through 5, by striking out all of said lines

Amend Sec. 3, page 2, line 6, by striking out "3" and inserting:  
2

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

#### BILL OVER IN ORDER

**SB 71** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 514 (Pr. No. 1614)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Oil and Gas Conservation Commission and conferring powers and duties upon it; and making a repeal.

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	Greenleaf	Lynch	Rocks
Andrezeski	Greenwood	Madigan	Salvatore
Baker	Helfrick	Mellow	Scanlon
Belan	Hess	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart
Corman	LaValle	Porterfield	Stout
Dawida	Lemmond	Punt	Tilghman
Fattah	Lewis	Regoli	Wenger
Fisher	Lincoln	Reibman	Williams
Fumo	Loeper	Rhoades	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 present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**SB 756** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1156 (Pr. No. 1616)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1984 (P. L. 1140, No. 223), entitled "Oil and Gas Act," further defining certain terms; providing for plugging abandoned wells; and making appropriations.

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 following prepared statement was made a part of the record at the request of the gentleman from Berks, Senator O'PAKE, on behalf of the gentleman from Indiana, Senator STAPLETON:)

Senate Bill No. 1156 represents a bipartisan effort to address a critical issue left unanswered by the passage of the Oil and Gas Act of 1984—the responsibility for oil and gas wells drilled years ago and abandoned.

The Department of Environmental Resources has interpreted the 1984 Oil and Gas Act in such a way as to require present-day owners of oil and gas leases to plug old wells located on their leases, even if they do not own, operate or gain any benefit from these wells.

There were many wells drilled in Pennsylvania prior to any state law or regulation which may have been plugged, but not necessarily according to the standards which now exist. The true owners and operators of these wells have long since vanished. These wells are, therefore, orphans since their ownership is unknown. This legislation seeks to provide a program to insure the proper plugging of these orphan wells in the interest of environmental protection.

I respectfully request my colleagues' support for this legislation, Senate Bill No. 1156.

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—48

Afflerbach	Greenleaf	Lynch	Rocks
Andrezeski	Greenwood	Madigan	Salvatore
Baker	Helfrick	Mellow	Scanlon
Belan	Hess	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart
Corman	LaValle	Porterfield	Stout
Dawida	Lemmond	Punt	Tilghman
Fattah	Lewis	Regoli	Wenger
Fisher	Lincoln	Reibman	Williams
Fumo	Loeper	Rhoades	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 present said bill to the House of Representatives for concurrence.

LEGISLATIVE LEAVE

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

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

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1438 (Pr. No. 2246) — The Senate proceeded to consideration of the bill, entitled:

An Act establishing a sinkhole damage assistance program; providing for grants and loans; 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—48

Afflerbach	Greenleaf	Lynch	Rocks
Andrezeski	Greenwood	Madigan	Salvatore
Baker	Helfrick	Mellow	Scanlon
Belan	Hess	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart
Corman	LaValle	Porterfield	Stout

Dawida	Lemmond	Punt	Tilghman
Fattah	Lewis	Regoli	Wenger
Fisher	Lincoln	Reibman	Williams
Fumo	Loeper	Rhoades	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 present said bill to the House of Representatives for concurrence.

SB 1439 (Pr. No. 2184) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 1, 1988 (P. L. 82, No. 16), entitled "Pennsylvania Infrastructure Investment Authority Act," extending the act to include storm water projects; and providing for a referendum to incur indebtedness for such projects and the issuance of notes and bonds if authorized by the referendum.

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	Greenleaf	Lynch	Rocks
Andrezeski	Greenwood	Madigan	Salvatore
Baker	Helfrick	Mellow	Scanlon
Belan	Hess	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart
Corman	LaValle	Porterfield	Stout
Dawida	Lemmond	Punt	Tilghman
Fattah	Lewis	Regoli	Wenger
Fisher	Lincoln	Reibman	Williams
Fumo	Loeper	Rhoades	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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER TEMPORARILY

SB 1447 — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

BILL LAID ON THE TABLE

HB 1658 (Pr. No. 1986) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped plates and placards.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1738 (Pr. No. 3689) — 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 when president or vice-president of council to act as mayor, for their voting power and for the tax to support ambulance and rescue squads.

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

Table with 4 columns of names: Afflerbach, Andrezeski, Baker, Belan, Bell, Bodack, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Helfrick, Hess, Holl, Jones, Jubelirer, LaValle, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Regoli, Reibman, Rhoades, Rocks, 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.

BILL ON THIRD CONSIDERATION AMENDED

HB 1955 (Pr. No. 3545) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title, notice of change of name or address, issuance of certificate of inspection, and fraudulent documents and plates.

Considered the third time,

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

CORMAN AMENDMENT

Senator CORMAN, by unanimous consent, offered the following amendment No. A1869:

Amend Sec. 4 (Sec. 4727), page 6, line 18, by striking out "LOG" and inserting: record

Amend Sec. 4 (Sec. 4727), page 7, lines 4 and 5, by striking out "LOG UNDER SUBSECTION (D) COMMITS A MISDEMEANOR OF THE FIRST DEGREE" and inserting: record under subsection (d) or who issues a certificate of inspection with

reason to know that there has been a violation of section 7122(4) (relating to altered, forged or counterfeit documents and plates) commits a summary offense

Amend Sec. 5 (Sec. 7122), page 7, lines 27 through 30; page 8, lines 1 and 2, by striking out all of said lines on said pages and inserting:

(4) obtains or attempts to obtain a certificate of inspection without valid proof of insurance; or

(5) provides a certificate of inspection where there is no valid proof of insurance.

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

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

WENGER AMENDMENT

Senator WENGER, by unanimous consent, offered the following amendment No. A2096:

Amend Title, page 1, line 6, by inserting after "ADDRESS,"; use and display of illuminated signs,

Amend Title, page 1, line 6, by inserting after "INSPECTION,"; width of vehicles,

Amend Bill, page 6, by inserting between lines 8 and 9:

Section 4. Section 4307 of Title 75 is amended by adding a subsection to read:

§ 4307. Use and display of illuminated signs.

\*\*\*

(e) Implements of husbandry.—An implement of husbandry or vehicle used exclusively for highly perishable crops for processing, operating between sunset and sunrise, shall have two rotating yellow beacons and four-way flashers operating.

Amend Sec. 4, page 6, line 9, by striking out "4" and inserting: 5

Amend Bill, page 7, by inserting between lines 10 and 11:

Section 6. Section 4921(b) of Title 75 is amended by adding a paragraph to read:

§ 4921. Width of vehicles.

\*\*\*

(b) Special vehicles.—

\*\*\*

(5) An owner or operator of any implement of husbandry or vehicle used exclusively for highly perishable crops for processing and not exceeding 14 feet 6 inches in width may operate on highways other than freeways only during the time of May 20 to October 15, operating between sunset and sunrise, shall have two rotating yellow beacons and four-way flashers operating.

Amend Sec. 5, page 7, line 11, by striking out "5" and inserting: 7

Amend Sec. 6, page 8, line 3, by striking out "6" and inserting: 8

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

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

**FUMO AMENDMENT**

Senator LINCOLN, on behalf of Senator FUMO, by unanimous consent, offered the following amendment No. A2052:

Amend Title, page 1, line 5, by removing the comma after "TITLE" and inserting: and

Amend Title, page 1, line 6, by removing the comma after "ADDRESS" and inserting: ; providing for notice to insurers regarding collision coverage on rental vehicles; further providing for

Amend Bill, page 6, by inserting between lines 8 and 9:

Section 4. Title 75 is amended by adding a section to read:  
§ 1725. Rental vehicles.

Every motor vehicle insurance policy shall contain a notice as to whether the policy covers collision damage to rental vehicles, and any limitations on such coverage. The notice shall be written in clear, plain language, and shall be printed on the first page of the policy in boldface capital letters.

Amend Sec. 4, page 6, line 9, by striking out "4" and inserting:  
 5

Amend Sec. 5, page 7, line 11, by striking out "5" and inserting:  
 6

Amend Sec. 6, page 8, line 3, by striking out "6" and inserting:  
 7

Amend Sec. 6, page 8, by inserting between lines 5 and 6:

(2) Section 4 (section 1725) shall take effect in 90 days.

Amend Sec. 6, page 8, line 6, by striking out "(2)" and inserting:  
 (3)

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

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

**STOUT AMENDMENT**

Senator STOUT, by unanimous consent, offered the following amendment No. A1743:

Amend Sec. 4 (Sec. 4727), page 6, line 14, by striking out all of said line and inserting:

(d) Proof of insurance.—

(1) No certificate of inspection shall

Amend Sec. 4 (Sec. 4727), page 6, line 15, by inserting brackets before and after "A" and inserting immediately thereafter:  
proof of

Amend Sec. 4 (Sec. 4727), page 6, line 15, by inserting a bracket before "IDENTIFICATION"

Amend Sec. 4 (Sec. 4727), page 6, line 16, by striking out the brackets before and after "PROPER"

Amend Sec. 4 (Sec. 4727), page 6, line 17, by inserting a bracket after "LAW"

Amend Sec. 4 (Sec. 4727), page 6, line 24, by striking out all of said line and inserting:

information submitted.

(2) In those cases where the insured fails to

Amend Sec. 4 (Sec. 4727), page 7, by inserting between lines 2 and 3:

(3) Financial responsibility may be proven by showing one of the following documents:

(i) An identification card as required by regulations promulgated by the Insurance Department.

- (ii) The declaration page of an insurance policy.
- (iii) A certificate of financial responsibility.
- (iv) A valid binder of insurance issued by an insurance company licensed to sell motor vehicle liability insurance in Pennsylvania.

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 STOUT.

**BILL ON THIRD CONSIDERATION  
 AND FINAL PASSAGE**

**HB 2130 (Pr. No. 3690)** — 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 election of commissioners in townships that are not divided into wards; and further providing for the tax to support ambulance and rescue squads.

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Shumaker and his temporary Capitol leave will be cancelled.

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

**HB 2221** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 2353 (Pr. No. 3691)** — 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," providing for residence requirements for supervisors; further providing for the tax to support ambulance and rescue squads; authorizing the establishment of boards of health; providing for their powers and duties; 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—48**

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

**SECOND CONSIDERATION CALENDAR****BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER**

**SB 776, 1202 and 1499** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

**PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION**

**SB 1546 (Pr. No. 2284)** — 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, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Considered the second time and agreed to,

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

**HB 2312 (Pr. No. 3684)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

Considered the second time and agreed to,

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

**HB 2313 (Pr. No. 3685)** — The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

**HB 2314 (Pr. No. 3108)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

Considered the second time and agreed to,

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

**HB 2458 (Pr. No. 3686)** — 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, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Considered the second time and agreed to,

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

**HB 2459 (Pr. No. 3367)** — 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.

Considered the second time and agreed to,

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

**HB 2460 (Pr. No. 3542)** — 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.

Considered the second time and agreed to,

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

**HB 2461 (Pr. No. 3543)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Considered the second time and agreed to,

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

**HB 2462 (Pr. No. 3544)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Considered the second time and agreed to,

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

#### BILLS OVER IN ORDER

**HB 62, SB 374, 377, 452, HB 591, 656 and 700** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION AMENDED

**SB 716 (Pr. No. 779)** — The Senate proceeded to consideration of the bill, entitled:

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

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator SHUMAKER, on behalf of himself and Senator HELFRICK, offered the following amendment No. A1866:

Amend Sec. 1 (Sec. 1511), page 1, line 17; page 2, lines 1 through 4, by striking out "an annual agricultural exhibition" in line 17, page 1, all of lines 1 through 4, page 2 and inserting: fairs that receive funding or grants or participate in the probation program through the Agricultural Fair Program implemented by the Department of Agriculture.

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 SHUMAKER.

#### BILLS OVER IN ORDER

**SB 955, 990, HB 1040, 1141, 1220 and 1221** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION AMENDED

**SB 1417 (Pr. No. 2188)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," authorizing the Department of Transportation to convey excess real property to interested public agencies or tenants.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator BELAN offered the following amendment No. A1944:

Amend Sec. 1 (Sec. 2003), page 3, line 6, by inserting after "department.": As used in this subclause and subclause (ii), the term "public agency" includes authorities and political subdivisions.

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 BELAN.

#### BILLS OVER IN ORDER

**SB 1446, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1570, 1581, HB 1665, 2004 and 2470** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### SENATE CONCURRENT RESOLUTION NO. 137, CALLED UP

Senator LOEPER, without objection, called up, from page 10, of the Calendar, **Senate Concurrent Resolution No. 137**, entitled:

A Concurrent Resolution directing the Local Government Commission to undertake a codification of the statutes relating to real property assessments.

On the question,

Will the Senate adopt the resolution?

Senator LOEPER offered the following amendment No. A2074:

Amend Second Resolve Clause, page 2, line 12, by striking out "by November 1, 1990" and inserting: as soon as possible

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

**SENATE CONCURRENT RESOLUTION  
NO. 137, ADOPTED, AS AMENDED**

Senator LOEPER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution No. 137, as amended.

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.

**SB 1447 CALLED UP**

**SB 1447 (Pr. No. 1918)** — 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.

**BILL OVER IN ORDER**

**SB 1447** — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**UNFINISHED BUSINESS  
REPORT FROM COMMITTEE**

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

**HB 1556 (Pr. No. 3708) (Amended)**

An Act amending the act of July 1, 1981 (P. L. 193, No. 58), entitled "An act establishing certain fees to be charged by clerks of the orphans' courts of counties of the fifth, sixth, seventh and eighth class and providing for fees in counties of the second, second A, third and fourth class," providing for the fees to be levied by clerks of orphans' courts in second through eighth class counties.

**COMMUNICATION FROM THE GOVERNOR**

**RECALL COMMUNICATION  
LAID ON THE TABLE**

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 laid on the table:

**DISTRICT JUSTICE**

June 12, 1990.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 1990 for the appointment of Antonia Deraco, 830 North Seventh Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, as a District Justice in and for the County of Lebanon, Magisterial District 52-2-01, to serve until the first Monday of January, 1992, vice Catherine M. Coyle, resigned.

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

ROBERT P. CASEY.

**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  
ATHLETIC COMMISSION**

April 24, 1990.

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, Andrew A. De Paolo, 107 Evandale Drive, Pittsburgh 15220, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Athletic Commission, to serve for a term of two years and until his successor is appointed and qualified, vice Richard Baer, Gibsonia, whose term expired.

ROBERT P. CASEY.

**MEMBER OF THE STATE  
ATHLETIC COMMISSION**

April 24, 1990.

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, Howard E. McCall, 1415 North Corlie Street, Philadelphia 19121, Philadelphia County, Third Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of two years, and until his successor is appointed and qualified.

ROBERT P. CASEY.

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

February 26, 1990.

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, Harry K. Thomas, Esquire, 914 West 52nd Street, Erie 16509, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro 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 EDINBORO UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

February 26, 1990.

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, R. Benjamin Wiley, 3945 Holly Rue Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro 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 PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

March 13, 1990.

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, Mina H. Shuman, 1038 Alpena Road, Philadelphia 19115, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 1993, pursuant to Act 71, approved December 14, 1989 and amended by Act 33, approved April 11, 1990.

ROBERT P. CASEY.

DISTRICT JUSTICE

May 8, 1990.

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, Roger F. Eckels, 103 East Smithfield Street (Rear), Mount Pleasant 15666, Westmoreland County, Thirty-ninth Senatorial District, for appointment as District Justice in and for the County of Westmoreland, Magisterial District 10-3-11, to serve until the first Monday of January 1992, vice Margaret I. Tlumac, deceased.

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—48

Table listing names of Senators who voted 'yea': Afflerbach, Andrezeski, Baker, Belan, Bell, Bodack, Brightbill, Corman, Greenleaf, Greenwood, Helfrick, Hess, Holl, Jones, Jubelirer, LaValle, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Rocks, Salvatore, Scanlon, Shaffer, Shumaker, Stapleton, Stewart, Stout.

Table listing names of Senators who voted 'nay': Dawida, Fattah, Fisher, Fumo, Lemmond, Lewis, Lincoln, Loeper, Punt, Regoli, Reibman, Rhoades, 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.

NOMINATION TAKEN FROM THE TABLE

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

The Clerk read the nomination as follows:

DISTRICT JUSTICE

February 28, 1990.

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, Michael L. Gerheim, R. D. 1, Box 2040, Leechburg 15656, Armstrong County, Forty-first Senatorial District, for appointment as District Justice in and for the County of Armstrong, Magisterial District 33-3-03, to serve until the first Monday of January, 1992, vice Louis E. Milks, Jr., resigned.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nomination?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

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.

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

YEAS—23

Table listing names of Senators who voted 'yea': Afflerbach, Fumo, Mellow, Scanlon, Andrezeski, Jones, Musto, Stapleton, Belan, LaValle, O'Pake, Stewart, Bodack, Lewis, Porterfield, Stout, Dawida, Lincoln, Regoli, Williams, Fattah, Lynch, Reibman.

NAYS—25

Table listing names of Senators who voted 'nay': Baker, Helfrick, Madigan, Salvatore, Bell, Hess, Pecora, Shaffer, Brightbill, Holl, Peterson, Shumaker, Corman, Jubelirer, Punt, Tilghman, Fisher, Lemmond, Rhoades, Wenger, Greenleaf, Loeper, Rocks, Wilt, Greenwood.

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

Ordered, That the Governor be informed accordingly.

**COMMUNICATION FROM THE GOVERNOR  
TAKEN FROM THE TABLE**

Senator WILT, by unanimous consent, called from the table communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

**DISTRICT JUSTICE**

June 12, 1990.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 1990 for the appointment of Antonia Deraco, 830 North Seventh Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, as a District Justice in and for the County of Lebanon, Magisterial District 52-2-01, to serve until the first Monday of January, 1992, vice Catherine M. Coyle, resigned.

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

**ROBERT P. CASEY.**

**NOMINATION RETURNED TO THE GOVERNOR**

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

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

**EXECUTIVE SESSION RISES**

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

The motion was agreed to.

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Nina Huhn Young by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Fred Miller by Senator Andrezeski.

Congratulations of the Senate were extended to Mr. and Mrs. Charles H. Landis, Mr. and Mrs. Jacob S. Beacham, Mr. and Mrs. Warren J. Styer, Douglas Bower, Agnes Stark and to Wohlsen Construction Company of Lancaster by Senator Armstrong.

Congratulations of the Senate were extended to Grant S. Berges by Senator Baker.

Congratulations of the Senate were extended to Mr. and Mrs. Bill Irving by Senator Bell.

Congratulations of the Senate were extended to Miss Roxie Gunderman by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Walter Green, Tyrone Frisby and to the International Cricket Club of Philadelphia by Senator Fattah.

Congratulations of the Senate were extended to Reajean R. Bristol, Marybeth Reichenback, Gina N. Iovacchino, Carmelo Alamo, Charles Johnson, Nolan Marrero, Tehran Caldwell, James Mark, Stephen M. Haraszkiwicz, Amy E. Markov, Gail Blackwell, Heather Klak, Florence Hunter, John Hemphill, Joseph Sole and to Monica Graham by Senator Fumo.

Congratulations of the Senate were extended to David Fischer by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Frank Margita, Mr. and Mrs. Raymond Walter, Mr. and Mrs. Albert Mackunis and to Michael Stebila by Senator Helfrick.

Congratulations of the Senate were extended to Ford Electronics and Refrigeration Corporation of Lansdale by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Braton Hollenbeck, Mr. and Mrs. Harry Bowen, Mr. and Mrs. Anson Tiffany, Mr. and Mrs. James Soden, Mr. and Mrs. Carl Maciejewski, Mr. and Mrs. Edward Guinther, Mr. and Mrs. Howard Ellsworth, Honorable and Mrs. Scott Dieterick and to Mr. and Mrs. Daniel W. Spencer, Sr. by Senator Lemmond.

Congratulations of the Senate were extended to WNBT-AM of Wellsboro by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony Lisowski by Senator Mellow.

Congratulations of the Senate were extended by the Pennsylvania Psychological Association by Senator O'Pake.

Congratulations of the Senate were extended to J. Fulton Mooney and to Edna Mae Hamm by Senator Pecora.

Congratulations of the Senate were extended to Mr. and Mrs. J. C. Williams III and to Ellen Croasmun by Senator Peterson.

Congratulations of the Senate were extended to Mr. and Mrs. Marion M. Scardina, Sr. and to Mr. and Mrs. John Mormack by Senator Porterfield.

Congratulations of the Senate were extended to Andrew Bupp and to Daniel Bupp by Senator Punt.

Congratulations of the Senate were extended to Frederick Niles Schroeder by Senator Regoli.

Congratulations of the Senate were extended to Earl A. Pope and to the citizens of the Borough of Nazareth by Senator Reibman.

Congratulations of the Senate were extended to Mr. and Mrs. Ron J. McMullen, Mr. and Mrs. John Pavlick, Mr. and Mrs. George McDonald, Mr. and Mrs. Robert Gouldner, Mr. and Mrs. George Tarsavage, Mr. and Mrs. Anthony Malaska, Mr. and Mrs. Ralph Smith, Tamaqua Number One Emergency Rescue Squad and to York Terrace Nursing Center of Pottsville by Senator Rhoades.

Congratulations of the Senate were extended to Thomas J. Nestel and to Reverend Alfred Monte by Senator Salvatore.

Congratulations of the Senate were extended to Mr. and Mrs. Wesley C. Double, Mr. and Mrs. Samuel Wagner and to Mr. and Mrs. John T. Parker by Senator Shaffer.

Congratulations of the Senate were extended to Mr. and Mrs. Paul G. Hay by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. Ernie Wilson, Mr. and Mrs. Robert Calhoun, Mr. and Mrs. Herbert E. Smith, Mr. and Mrs. Robert E. Kearney, Mr. and Mrs. Glenn Fye, Bill Shane and to Tom T. Andrews, Jr. by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Simmons, Mr. and Mrs. Ed Korski, Mr. and Mrs. Frank Burich, S. Margaret Gardner, citizens of the community of Fredericktown and to North Strabane Democrat Women's Club of Eighty Four by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Orville Anderson by Senator Wilt.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

**SB 1036, 1284, 1325, 1445, 1561, 1562, 1563, 1564, HB 502, 1556 and 2179.**

And said bills having been considered for the first time,

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

### PETITIONS AND REMONSTRANCES

Senator PETERSON. Mr. President, I rise today to share with my colleagues and friends a few reflections on this year's budget proposal. We all know it was a lean budget. We all know it may be getting leaner as time goes along. But I would like to reflect for a few moments, after having gone through the appropriations process and then the meeting with constituents and interest groups in the interim in between, and talk a little bit about how I feel this budget affects rural Pennsylvania.

This budget had a 2.3 percent increase across the board. It was less money than inflation costs to all of those who depend on state resources. But what is a governor's budget? It is his request to the General Assembly of what his priority list is, who his friends are, who he thinks—what programs and what agencies—are at the top of his list and have the greatest need in serving the constituents and taxpayers of this Commonwealth. As we look at this year's budget there will be those who say, do not dare talk about inadequacies because there is no more money, but I think it is very fair in the process to talk about those who were treated fairly and those who were treated unfairly, those who did not make the priority list.

You look at the item Agriculture Promotion. Agriculture, Pennsylvania's leading economic job creator, received a 15 percent decrease in a budget that gave, overall, most people more money.

The Community Facilities program in the Department of Commerce, which is a small communities program that helps them with their infrastructure, was cut 47 percent, almost cut in half. Now much of rural Pennsylvania, in the west particularly, is still struggling with its economy, and when you look at what his request was for in the Department of Commerce, when you see programs like BID, a 22 percent cut, the PIDA program, no current funding was put in that program, and down the list you go, the local development districts that play a vital role out there, no increase at all, you see that less funds are going to be available for those counties that have double digit unemployment, and we still have counties that have that, and counties where economies are really struggling.

Then we come to education. Customized Job Training, a program that really ties education with economic development, a program that has been vital to rural Pennsylvania in helping us train our workers and bring companies up to speed in latest technologies, was cut 22 percent.

Vocational Education, a program that helps young people train in the trades, was cut 18 percent, which is a vital program to rural Pennsylvania.

Then we have an Adult Literacy program with no increase. I saw a report today that if we were going to fund all the needs out there as far as people who have applied for the ability to learn to read and write so they can get an effective job, we would need to double that appropriation and not remain with no increase.

Higher Education Rural Initiative. This was a program that was cut 32 percent. What was that program trying to accomplish? Pennsylvania has 20 counties that have no institution of higher learning. We have a community college system that only covers about 40 percent of the state, and that is a vital part of training workers and people in the work force to upgrade their skills and companies to train their workers so they can remain competitive. This program was trying to help rural counties set up pilot programs and funds, some from existing programs, that give them some access to continue in higher education, but it received a 32 percent cut.

We all know that this year's basic education funding is the smallest increase, I was told, since the late '60s, one that is going to put school districts across this Commonwealth behind in their budgets. Now we have been recently told by the Governor that all school districts are rich, that they all have money in the bank squirreled away and they do not really need this money. Well, I am here to tell the Governor and his staff today that a lot of school districts in my district and across this Commonwealth are broke. School districts do not have adequate money to run these districts without massive tax increases at the property level if we do not have more adequate funding from the state. Why are rural school districts particularly impacted on this issue? This year the Governor also proposes a new mandate. A mandate of \$21,500 is a beginning teacher's salary. Who does that impact? That does not impact urban schools. That does not impact suburban schools. That impacts the smallest rural school districts in the Commonwealth. With the \$18,500

mandate two years ago, what do we do with that cost to those school districts? The first time we paid it, the year it was implemented for one year, and thereafter the school districts had to absorb it. This time we are going to pay it a year late, so a school district is going to have a cash flow problem the first year and the second year they will receive a payment for one year and thereafter they will have to eat that cost. There are several changes in the educational funding this year that are going to have a major impact. We are now going to pay for special education after the fact, a year after the fact in some school districts, removing \$200,000-\$300,000 from their cash flow positions, a loss they will have to eat forever. But it is going to have a major impact on school districts that do not have cash balances and the majority of them do not.

Also, we have new rules in special education that are going to cost them additional positions, additional funding. Are we going to ever pay for that? No. That is not even going to be in the formula from hereafter. Those school districts are going to have to just eat those costs. When you start adding those things up with the smallest increase in subsidy, rural, poor, small school districts are going to be coming out with massive tax increases this year because not only a small subsidy but many, many mandated programs they are going to have to pay for themselves and new payment systems that pay them a year later. Programs like water quality testing, state parks and black fly receive little or no increase. The black fly program, a rural program, a 27 percent cut.

How about health issues? This year's budget on emergency medical services called for no increase and appropriated the same amount of money out of the EMS fund as last year when that fund, in fact, has \$27 million in it and we have passed legislation in the Senate to correct that, to start releasing money to our emergency services people. We are asking the Governor here today to put that money out there to our emergency providers who need it, who are providing the services today, who are struggling to have adequate volunteers because we have put a lot of mandates on them and the money that has been promised has not followed.

How about hospitals? Rural hospitals are struggling. The Medicaid System has become a bigger and bigger portion of their budget. Historically, rural hospitals had six or seven percent of their business in Medicaid. We have hospitals now across the Commonwealth with 25 to 29 percent of their business in Medicaid. We pay them 20, 30 or 40 percent of their cost. In the State Medicaid System we have seven categories of payment. Guess where those small, rural hospitals are? Bradford, Pennsylvania has a 25 percent Medicaid population, 25 percent of their business is in Medicaid, and they are in the seventh category, the lowest category of payment. The system is supposed to reward with some stipends those who do a lot of indigent care, who take care of the poor. Our system does not work in rural Pennsylvania. Those hospitals remain in the lowest of categories of reimbursement. The Bradford Hospital, if they were to be reimbursed with the Temple payments—and Temple is certainly not happy with their reimbursements—they would have a 97 percent increase in what

they would receive in Medicaid. Rural hospitals have been struggling with inadequate Medicare payments. Rural hospitals get 30 percent less in Medicare than they do in urban hospitals.

Now in the Medicaid system we find out that the disproportionate payment is even worse. Simple things like museum maintenance, a 45 percent cut. We find all over the system that maintenance costs are being cut back and many of our state-owned buildings are not being maintained. Adequate funds to keep them up are going to be put off until later years.

An interesting one is the Milk Marketing Board. Last year, they agreed they wanted a little bigger budget, and the milk dealers and the milk producers agreed to pay higher fees so they could have a little bigger budget. This year's budget cut them 36 percent, and I was told yesterday this year's budget for them, which was \$931,000, the Governor's Office, the Budget Office just grabbed \$300,000 away from them. They are not going to receive their final payment. They agreed to pay higher fees. They not only are losing money next year, they have lost \$300,000 in their budget this year.

PEMA received a 16 percent cut. Agricultural Research was cut 8 percent. Biotechnology was totally wiped out of the budget. Something that was a program that would help promote agriculture in Pennsylvania, and it was totally wiped out of the budget.

We have a school up in my district in Bradford Campus which is a line item in the Pitt appropriation. They received a 31 percent cut, while the rest of the schools in the Commonwealth received a 4 to 5 percent increase. This was a very unfair cut.

Poison Control Centers, vital to rural Pennsylvania, was cut out of the budget.

The Human Service Development Fund that helps counties pay the overmatch on all the programs we mandate upon them received no increase. It is not important to this administration.

County Nursing Homes. The elimination of the Efficiency Incentive Program will cost our county nursing homes millions of dollars.

Child Welfare Costs for county overmatch. We are putting, again, a higher burden on the rural counties to pick up the overmatch to pay the bills for the programs that we have mandated upon them and have not adequately funded.

Just recently, Probation and Parole, half of this year's appropriation, I am told, is being held up. They are going to be paid in next year's term. What does that do? That takes \$7.5 million out of the counties' budgets. They are just supposed to absorb that.

The increases for MH/MR and Aging this year will not pay for the salary increases that will be mandated through state contracts.

When you look down that list and look at those kinds of cuts in major programs with no increases, it is hard to believe that Pennsylvania has the largest rural population in the nation. There are 3.6 million people in this Commonwealth who live in communities of 2,500 or less. There is no state that

has a rural population anywhere near the size of Pennsylvania's population. Everybody assumes that we are similar to all the other industrial states. We are not. We have a large rural population. Where is the highest unemployment in Pennsylvania? It is in these rural counties that so often get shortchanged in state resources and, certainly, this year. But when you look at programs like mass transit, you see a 4.5 percent increase, twice what the average increase in the budget is. On top of that, the Governor announced that he would be requesting a \$74 million bond issue to assist the mass transits in the city; 70 percent of that goes to SEPTA; 25 percent to PAT; and the other 5 percent to the small transits around the state. But that \$74 million is going to be given to them to assist them in infrastructure. I read from their article that 38 percent of that was going to be used—bond issue money paid back over 20 years—to repair old buses. With an old bus, I was told by some experts this week, they get five or six years more out of it when they have been totally rehabilitated at the most, but yet we are going to spend that money and take 20 years to pay for it over the time of that bond issue. When you look at those kinds of comparisons, when has there been similar infrastructure money given to rural roads, to rural transits, to rural programs to help make sure the infrastructure is out there for our future needs? It just does not happen on a fair basis.

Is Governor Casey and his budget a friend to rural Pennsylvania and to agriculture? I think the four-year record says a resounding no.

Senator FUMO. Mr. President, I was tempted not to enjoin this debate, but I guess for those historians who will someday read the record, I have an obligation to and, therefore, I will.

Over the last few weeks, or months I guess it is now, we have been having this discussion in Petitions and Remonstrances on a regular weekly basis, and I guess I am glad the media has not covered it because at least they have not wasted valuable space in their publications as opposed to us wasting the same valued space in our Journal. Mr. President, I cannot stand by and allow the gentleman from Venango, Senator Peterson, to come up and pontificate and shade the budget to his liking and cry doomsday. Many of the things he says I disagree with. I think in some areas he is grossly inaccurate. Mr. President, generally, in this budget, no one received cuts. There were a few cuts, but very, very few. But the gentleman is right that many programs did not get the kinds of increases he would like to have seen and I would like to have seen. But then, Mr. President, we do not live in a vacuum. We all watch as the Republican caucus has their constant news barrage along with their candidate, Ms. Hafer, and tells us about the horrible budget, the big deficit. The gentleman from Blair, Senator Jubelirer, I believe, has been carrying the ball mostly on this, but his whole caucus participates. I have heard them estimate the budget shortage of next year to be somewhere between a half billion and a billion dollars. Mr. President, I do not agree with that number. I am willing to accept the revenue estimates of the Budget Secretary, but the debate has to come back to those who are shouting the loudest. If Senator Peterson thinks the budget is bad now, would he have

me cut a billion dollars out, as his leadership seems to say we should do? Where would he have me cut that? Obviously, he would say every urban program he could think of, and I think if he could convince the gentlemen from Philadelphia, Senator Rocks and Senator Salvatore, to vote to cut the reimbursements to SEPTA and some of those people, he might have something going for him. But the idea of a budget is that it has to be balanced. In this particular budget it is balanced. It may not be the greatest since humanity has started but it is a tight year. If Senator Peterson is willing to come forth with a tax increase program to pay for all his great ideas, or even if he is willing to come forth with a tax increase program to cover the shortfall his party says exists in the budget, I am willing to listen. He is in the Majority Party here. In the end it will be the Majority Party that will be able to pass or stop a budget, not us in the Minority. If he does not like the budget and he can convince his colleagues to go along when it is finally done, vote "no" and we do not have a budget. Then come forth with your tax programs, Senator. Then you will have to break with the tradition of those great American Presidents, Ronald Reagan and George Bush, who said, "Read my lips." All of these shortfalls are the legacy of Ronald Reagan. He was the one who conned the American public into believing there was a free lunch and he was going to provide it. He was the one who told us, I will cut taxes and I will increase military spending because I am a tough cowboy from the West. Mr. President, the reality is now we are starting to see what has occurred during those eight years. We in Pennsylvania, along with other states, are feeling the shortfall in the loss of federal help during the Reagan years and now the Bush years.

Mr. President, one and one still make two in this country in the end. People can make it equal four and five on a short-term basis, but the reality still is one and one are two. If Senator Peterson and his colleagues believe, in fact, there is a budget deficit, it is their responsibility to balance that budget.

Mr. President, I have before me a printout which lists some of the interesting programs that the Republicans have put forth in this Senate and passed, programs that amount to \$175 million in new spending over and above what already has been proposed. Where is the money? Or, if we have a deficit, where do you want to make the cuts? You cannot stand around here and just throw the Molotov cocktail and then run out of the Capitol building and let it burn. You are the Majority Party. The responsibility rests upon you to come forth with a balanced budget. If Senator Peterson is not happy with some of the rural programs in that budget, or if he thinks that Senator Rocks and Senator Salvatore from Philadelphia are getting too much, debate it in your caucus and let us know what you want to do. We will be here forever if we want to kid ourselves, but when you are ready to work on an honest budget proposal, recognizing that there is never enough money for everybody and there never will be, then let us talk. If there really is a billion dollar deficit, you tell us what programs you want to cut in addition to the long list you have already given us today, or you tell us what taxes you want to raise to balance

that budget. I am waiting and I am listening, but I do not hear anything coming from the other side except charges and allegations. You did a great job last week and you got some wonderful headlines. I saw in the paper, GOP Legislators demand that Casey raise taxes. The Governor says, no. Now he has a different agenda. I do not always agree with him, but I have to believe in one thing. He has his pulse somewhere out there on the people because when you poll and ask people if they want their taxes raised, they say no. I do not agree with that. I think under Ronald Reagan this country lost its conscience. I think he took away the conscience of America by telling us we can turn on the poor and we can turn on the unfortunate, and it was okay to do it. Eight years of that propaganda was being battered into the American public's minds. They bought it and now we are suffering, and we will go further down this pit as long as George Bush keeps espousing the same philosophy. But eventually America will wake up. Eventually America will come back to the country it was founded many, many years ago to be, and that is a country where government cares about people. I am willing to participate in that leadership, and I urge you to come with me and do it. You are the Majority Party. I will put the challenge up. Put a tax program in to raise taxes. Have the courage to do it. Put up half the votes, and I will find half on this side of the aisle. Put the bill out of committee with your name on it. You can run through tax reform again, even though you beat it the last time. Now you want it. I do not understand that one at all, but that is for another day. You have the ability to move quickly. Put a bill in now, Senator Peterson, raising the income tax a full point. That generates about a billion dollars. Then we will sit down and talk about your rural programs. Put up the votes. Let us see it come out of the Committee on Finance as rapidly as the other programs did, and let us talk about it. Put up or shut up. That is the reality of it all. If you want more money for rural programs, put up some tax votes and let us see if we can convince the Governor. If you want America to be a better place, go down to Washington and convince your President to unbutton his lips and talk truth. Instead of worrying about the burning of the flag, let us worry about the principles it stands for. Let us worry about people. I will put up my votes for taxes. You put up yours. You control the process. You are in leadership. Do it, and when you are ready to do it, I am ready to listen. But this kind of nonsense is getting us nowhere, and that is probably why the media is not printing the garbage you are putting out every week, because they know the reality. One and one is two, and you are in the Majority. You put forth your program if you do not like the Governor's program. Put forth your budget. Let us see what you have to say. Put a budget bill in. Let us see it. Put back all that money in rural initiatives and put up the taxes to pay for it. If you really believe it, use your leverage on your leadership to get it done. Do not just sit around and talk. Let us have some action. But you do not want to do that because you might get a bad headline that says, Senate Republicans raise taxes, and, God forbid, Ronald Reagan would not like that and neither would George Bush. You might start a whole rev-

olution in the Republican Party. But go ahead and do it. Money comes from somewhere and it comes from taxes. If you want to spend it on worthwhile programs, let us raise them and then we will spend it.

Senator MADIGAN. Mr. President, representing a major rural area of Pennsylvania, I cannot stay out of this debate. I do have a strong concern for rural Pennsylvania. As we look, there are very few cuts in this budget, but they all seem to be in our rural areas, and I believe we need to look at it and I appreciate the remarks of the Minority Chairman of the Committee on Appropriations. Following last week's proposals, I read very closely the Governor's remarks and those of his staff who said we have lots of money, we do not have to worry about it, we are not going to need tax increases and we will not support tax increases for the next four years. This is fine and I believe this is great. As we talked in previous years and last Session about fair share in another area, I think those of us who come from rural Pennsylvania, who come from some very impoverished areas, are looking for relief and their fair share of what is being spent in this proposed budget. I appreciated the previous speaker's remarks about the Reagan Administration for eight years, and I believe there were very few tax cuts there. They eliminated tax indexing and the automatic increases in taxes to personal income, and it appears that the same record was being played by this administration here in Pennsylvania for the past four years with a very similar agenda. Certainly, as we look to this, if there is lots of money, fine, then we can get through the next four years. I am pleased to compliment the Governor on coming to my district to take a look at what is happening in rural Pennsylvania, and the money we have and the transfers that are going to our districts, the rural areas that find it hard to meet those budgets and the mandates of the state. The previous speaker said, we successfully brought his bill, the constitutional amendment, out of the Committee on Local Government today to make sure that the state does pay for those mandates they put back on local governments. I look forward to seeing this budget approved without any tax increase, to see the improvements across this Commonwealth we are going to have. I believe what we are saying here today is, we in rural Pennsylvania just want our fair share and the equity that is needed. I support the gentleman from Venango, Senator Peterson, for his efforts and appreciate the opportunity to express my concerns on behalf of the largest rural population in this country. I think it is a real mistake when we see that those number one and number two industries in the Commonwealth are not recognized and provided some real consideration as we look to this budget.

#### SPECIAL ORDER OF BUSINESS HB 368 TAKEN FROM THE TABLE

Senator BRIGHTBILL. Mr. President, I move that House Bill No. 368, Printer's No. 2762, 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.

### COMMUNICATION FROM THE GOVERNOR

#### 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:

JUDGE, COURT OF COMMON PLEAS,  
DELAWARE COUNTY

June 12, 1990.

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, Edward S. Lawhorne, Esquire, 407 Moylan Avenue, Moylan 19065, Delaware County, Ninth Senatorial District, for appointment as Judge of the Court of Common Pleas of Delaware County, to serve until the first Monday of January, 1992, vice The Honorable Francis J. Catania, mandatory retirement.

ROBERT P. CASEY.

#### BILL SIGNED

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

**HB 2334.**

#### ANNOUNCEMENTS BY THE SECRETARY

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

##### SENATE OF PENNSYLVANIA

##### COMMITTEE MEETINGS

WEDNESDAY, JUNE 13, 1990

9:15 A.M.	APPROPRIATIONS (to consider House Bill No. 1083)	Room 461 4th Floor North Wing
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Comments on Residual Waste Regulations (7-181) and Senate Bill No. 1617)	Room 461 4th Floor North Wing

#### ADJOURNMENT

Senator BRIGHTBILL. Mr. President, I move the Senate do now adjourn until Wednesday, June 13, 1990, at 11:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.  
The Senate adjourned at 5:03 p.m., Eastern Daylight Saving Time.