

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SATURDAY, AUGUST 3, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 58

SENATE

SATURDAY, August 3, 1991.

The Senate met at 7:50 p.m., Eastern Daylight Saving 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:

Heavenly Father, bless this Chamber and give the Members of this Body a strong sense of obligation to the people whom they represent and a determination to protect and promote their interest. May they complete the tasks before them with honor and dignity, that the good of all the people will be served. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of August 2, 1991.

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.

SPECIAL ORDER OF BUSINESS

BILL SIGNED

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

SB 1135.

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Appropriations to meet during today's Session to consider the following House Bills: No. 804, 1055, 1143, 1470, 1551 through and including 1590, 1607 and 1644.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED AND LAID ON THE TABLE

Senator ROBBINS submitted the Report of Committee of Conference on HB 89, which was laid on the table.

RECESS

Senator LOEPER. Mr. President, before we begin with the consideration of today's Calendar, I would ask for a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to take place immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to begin immediately in the Rules room at the rear of the Senate Chamber, the Senate will stand in recess.

AFTER RECESS

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

REPORTS FROM COMMITTEE

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

HB 1055 (Pr. No. 1198) (Rereported)

An Act amending the act of July 11, 1985 (P. L. 209, No. 54), entitled "An act authorizing the incurring of debt for the purpose of financing the Federal share of construction of interstate highways," increasing the debt authorization.

HB 1143 (Pr. No. 2415) (Amended) (Rereported)

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for reimbursements to counties for certain services for children and youths.

HB 1551 (Pr. No. 2416) (Amended) (Rereported)

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

HB 1552 (Pr. No. 2417) (Amended) (Rereported)

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), known as the "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 1553 (Pr. No. 2386) (Rereported)

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), known as the "Temple-University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 1554 (Pr. No. 2387) (Rereported)

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), known as the "Lincoln University-Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 1555 (Pr. No. 2349) (Rereported)

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

HB 1556 (Pr. No. 2418) (Amended) (Rereported)

An Act making appropriations to the Hahnemann University, Philadelphia.

HB 1557 (Pr. No. 2351) (Rereported)

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

HB 1558 (Pr. No. 2352) (Rereported)

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

HB 1559 (Pr. No. 2353) (Rereported)

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

HB 1560 (Pr. No. 2354) (Rereported)

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

HB 1561 (Pr. No. 2355) (Rereported)

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

HB 1562 (Pr. No. 2356) (Rereported)

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

HB 1563 (Pr. No. 2357) (Rereported)

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

HB 1564 (Pr. No. 2419) (Amended) (Rereported)

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

HB 1565 (Pr. No. 2359) (Rereported)

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

HB 1566 (Pr. No. 2360) (Rereported)

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

HB 1567 (Pr. No. 2361) (Rereported)

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

HB 1568 (Pr. No. 2362) (Rereported)

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

HB 1569 (Pr. No. 2363) (Rereported)

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

HB 1570 (Pr. No. 2420) (Amended) (Rereported)

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

HB 1571 (Pr. No. 1839) (Rereported)

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

HB 1572 (Pr. No. 1840) (Rereported)

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

HB 1573 (Pr. No. 1841) (Rereported)

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

HB 1574 (Pr. No. 1842) (Rereported)

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

HB 1575 (Pr. No. 1843) (Rereported)

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

HB 1576 (Pr. No. 1844) (Rereported)

An Act making an appropriation to the Lancaster Cleft Palate.

HB 1577 (Pr. No. 1845) (Rereported)

An Act making an appropriation to the Pittsburgh Cleft Palate.

HB 1578 (Pr. No. 1846) (Rereported)

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

HB 1579 (Pr. No. 2421) (Amended) (Rereported)

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

HB 1580 (Pr. No. 1848) (Rereported)

An Act making an appropriation to the Rehabilitation Institute of Pittsburgh.

HB 1581 (Pr. No. 1849) (Rereported)

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

HB 1582 (Pr. No. 1850) (Rereported)

An Act making an appropriation to the Beacon Lodge Camp.

HB 1583 (Pr. No. 1851) (Rereported)

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

HB 1584 (Pr. No. 1852) (Rereported)

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

HB 1585 (Pr. No. 1853) (Rereported)

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

HB 1586 (Pr. No. 1854) (Rereported)

An Act making an appropriation to the Academy of Natural Sciences.

HB 1587 (Pr. No. 1855) (Rereported)

An Act making an appropriation to the Trustees of the Buhl Science Center.

HB 1588 (Pr. No. 1856) (Rereported)

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

HB 1589 (Pr. No. 1857) (Rereported)

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

HB 1590 (Pr. No. 1858) (Rereported)

An Act making an appropriation to the Everhart Museum in Scranton.

HB 1607 (Pr. No. 1881) (Rereported)

An Act providing for the capital budget for the fiscal year 1991-1992.

HB 1644 (Pr. No. 1941) (Rereported)

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1991-1992.

EXECUTIVE NOMINATION

EXECUTIVE SESSION

Motion was made by Senator BRIGHTBILL,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nomination made by the Governor.

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

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

The Clerk read the nomination as follows:

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

June 10, 1991.

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, Donald S. Kelly, R. R. 4, Box 334, Valencia 16059, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1997, and until his successor is appointed and qualified, vice James M. Campbell, Pulaski, whose term expired.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nomination?

LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Lynch, Senator Williams, Senator O'Pake and Senator Fattah.

Senator LOEPER. Mr. President, I request legislative leaves on behalf of Senator Bell and Senator Salvatore.

The PRESIDENT. Senator Loeper requests legislative leaves for Senator Bell and Senator Salvatore. Senator Mellow requests temporary Capitol leaves for Senator Lynch, Senator Williams, Senator O'Pake and Senator Fattah. The Chair hears no objection. Those leaves will be granted.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEAS—24

Afflerbach	Fattah	Lynch	Scanlon
Andrezeski	Fumo	Mellow	Schwartz
Belan	Jones	Musto	Stapleton
Bodack	LaValle	O'Pake	Stewart
Bortner	Lewis	Porterfield	Stout
Dawida	Lincoln	Reibman	Williams

NAYS—26

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

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CALENDAR

HB 1105 CALLED UP OUT OF ORDER

HB 1105 (Pr. No. 1255) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1105 (Pr. No. 1255) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," extending the expiration of approval authority.

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

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.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

HB 1344 CALLED UP OUT OF ORDER

HB 1344 (Pr. No. 2412) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1344 (Pr. No. 2412) — The Senate proceeded to consideration of the bill, entitled:

An Act relating to agriculture and rural youth; creating an Agriculture and Rural Youth Organization Grant Program; imposing duties on the Department of Agriculture; and providing for funding.

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

NAYS—0

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

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

SB 1238 CALLED UP OUT OF ORDER

SB 1238 (Pr. No. 1422) — Without objection, the bill was called up out of order, from page 3 of the Second Consideration Calendar, by Senator LOEPER as a Special Order of Business.

BILL REREFERRED

SB 1238 (Pr. No. 1422) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1978 (P. L. 537, No. 93), entitled "Seasonal Farm Labor Act," further providing for declaration of intent; adding and amending definitions; further providing for minimum wages, piece rates, employment of minors,

prohibition on account of sex, required records, notice to workers, wage payment, hours of labor, rules and regulations, inspections and entry, permit to operate seasonal farm labor camp, enforcement orders, tenancy rights, annual registration requirement, qualifications of registrants, exemption of agents from registration, employment agencies, farm labor contractors and agents, prohibited activities, powers and duties of secretary, administrative procedure, pending proceedings and criminal penalties; and providing for lack of affirmative duty, interference with access and right of privacy, and civil remedies and penalties.

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

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NONCONCURRENCE IN SENATE AMENDMENTS TO HB 221 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in amendments made by the Senate to **HB 221**, and has appointed Messrs. DeWEESE, EVANS and HAYES as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1536**.

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

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 405, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurred in by the Senate to **SB 405**, and has appointed Messrs. DeWEESE, EVANS and RYAN as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HB 221

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, RHOADES and LINCOLN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 221.

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

COMMITTEE OF CONFERENCE APPOINTED ON SB 405

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, LOEPER and MELLOW as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to Senate Bill No. 405.

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 2

BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 1536

HB 1536 (Pr. No. 2411) — The Senate proceeded to consideration of the bill entitled:

An Act to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1991, to June 30, 1992, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1991, to June 30, 1992, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991.

Senator LOEPER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1536, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

COMMITTEE OF CONFERENCE APPOINTED ON HB 1536

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, TILGHMAN and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1536.

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

BILL SIGNED

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

HB 1020.

RECESS

Senator LOEPER. Mr. President, at this time, if I may have the attention of the Members for a moment, we have dispatched the business that was at hand to do and I would suggest that we now have a recess of the Senate until 11:30 p.m. this evening. We would return here to the Senate floor at 11:30 p.m., and then we will proceed, depending on deliberations in the House.

The PRESIDENT. To reiterate the information for the Members of the Senate, Senator Loeper has requested that the Senate do recess until 11:30 p.m. this evening. There being no objection to the request, the Senate will stand in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 840 (Pr. No. 1589) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for funeral processions.

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?

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, Senator Hopper and Senator Armstrong have been called from the floor to their offices and I would request temporary Capitol leaves on their behalf.

The PRESIDENT. Senator Loeper requests temporary Capitol leaves for Senator Hopper and Senator Armstrong. The Chair hears no objection. Those leaves will be granted.

Senator MELLOW. Mr. President, I would like to place Senator Lewis on temporary Capitol leave.

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

And the question recurring,
Shall the bill pass finally?

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

YEAS—50

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

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.

REMAINING CALENDAR OVER IN ORDER

All remaining bills on today's Calendar not considered were passed over in their order at the request of Senator LOEPER.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 1

HB 1143 CALLED UP OUT OF ORDER

HB 1143 (Pr. No. 2415) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator LOEPER.

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

HB 1143 (Pr. No. 2415) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for reimbursements to counties for certain services for children and youths.

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

NAYS—0

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

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

HB 1644 CALLED UP OUT OF ORDER

HB 1644 (Pr. No. 1941) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1644 (Pr. No. 1941) — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1991-1992.

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	Fumo	Loeper	Robbins
Andrezski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout

Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1055 CALLED UP OUT OF ORDER

HB 1055 (Pr. No. 1198) — Without objection, the bill was called up out of order, from page 7 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1055 (Pr. No. 1198) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 11, 1985 (P. L. 209, No. 54), entitled "An act authorizing the incurring of debt for the purpose of financing the Federal share of construction of interstate highways," increasing the debt authorization.

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

NAYS—0

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

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

HB 1607 CALLED UP OUT OF ORDER

HB 1607 (Pr. No. 1881) — Without objection, the bill was called up out of order, from page 7 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1607 (Pr. No. 1881) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 1991-1992.

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, Bortner, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Hart, Helfrick, Holl, Hopper, Jones, Jubelirer, LaValle, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Reibman, Rhoades, Robbins, Salvatore, Scanlon, Schwartz, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams.

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.

LEGISLATIVE LEAVE CANCELLED

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

RECESS

Senator LOEPER. Mr. President, at this time we have completed about as much business as we can transact until further action occurs in the House of Representatives. In discussions with the Majority Leader of the House, he indicates to me that he believes it will be about one more hour before they will be ready to go on the floor of the House. I would at this time, in light of that, suggest a recess of the Senate until approximately 1:30 a.m., or thereafter, if Members could be in their offices subject to recall at that time.

Senator PECORA. Mr. President, I rise for the purpose of making a recommendation for an adjournment until 10:00 o'clock tomorrow morning. I feel that working here this evening and waiting for a tax proposal that we have no obligation or knowledge of, that by 10:00 o'clock tomorrow morning we would have more information, we can vote more intelligently and we do not look like we are sneaking bills

through in the middle of the night again. I have been embarrassed in previous times when we passed budgets at three or four in the morning. No one knew what we were voting for. Everybody was talking. No one paid attention because they had no time to read the legislation.

The PRESIDENT. If the gentleman would yield. Is the gentleman making a motion to adjourn?

Senator PECORA. Mr. President, I am making a motion for adjournment until 10:00 o'clock tomorrow morning.

The PRESIDENT. Senator Pecora moves that the Senate do now adjourn until 10:00 o'clock tomorrow morning. All those in favor of the motion say "aye," all those opposed "no." In the opinion of the Chair, the "noes" have it.

Senator PECORA. Mr. President, I request a roll call.

The PRESIDENT. The Clerk will call the roll.

The Senate will be at ease.

(The Senate was at ease.)

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I request temporary Capitol leaves for Senator Andrezeski, Senator Scanlon, Senator Bodack, Senator Fumo, Senator Stout and Senator Jones.

The PRESIDENT. Senator Lincoln requests temporary Capitol leaves for the following Senators: Senator Andrezeski, Senator Scanlon, Senator Bodack, Senator Fumo, Senator Stout and Senator Jones. There being no objection, those leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

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

Senator MELLOW. Mr. President, I would simply ask for a "no" vote on the motion.

Senator LOEPER. Mr. President, I, additionally, would also ask for a "no" vote on the motion.

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

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

YEAS—5

Table with 4 columns: Afflerbach, Greenleaf, Holl, Pecora, Reibman.

NAYS—45

Table with 4 columns: Andrezeski, Armstrong, Baker, Belan, Bell, Bodack, Bortner, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenwood, Hart, Helfrick, Hopper, Jones, Jubelirer, LaValle, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Peterson, Porterfield, Punt, Rhoades, Robbins, Salvatore, Scanlon, Schwartz, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams.

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

The PRESIDENT. Senator Loeper has requested a recess at this time with the anticipation of returning at approximately 1:30 a.m. There being no objection to that request, the Senate will stand in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee of Conference on Senate Bill No. 405 to convene during today's Session at 3:20 a.m. in the Majority caucus room. Also, for the information of the Members, at the same time the Committees of Conference on House Bills No. 221 and 1536 will convene in the Majority caucus room.

RECESS

The PRESIDENT. Without objection, the Senate will now recess to the call of the President pro tempore.

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.

REPORTS FROM COMMITTEE

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

HB 804 (Pr. No. 2441) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for membership of the board of The Pennsylvania Industrial Development Authority, for crime victims' compensation and assistance and for the rights of crime victims; providing for the continuation of medical insurance coverage for survivor-spouse annuitants; and providing for costs for offender supervision programs and for the deposit of certain surplus; further providing for the submission of agency budget requests to the General Assembly and for control of the budgeting processes by the General Assembly; providing for electronic access to certain information provided by the Governor; authorizing the Department of Environmental Resources to indemnify and hold harmless PermaGrain Products, Inc. from and against certain damages related to personal injury and property damage at Quehanna, Pennsylvania; permitting the drilling of water wells on State lands under certain conditions; further providing for municipal notices relating to certain permits issued by the Department of Environmental Resources; and providing for the expiration of the health-care facilities certificate of need process.

HB 1470 (Pr. No. 2445) (Amended) (Rereported)

An Act providing for the preservation of the State Lottery Fund; further providing for pharmaceutical assistance for the elderly; further providing for transportation assistance to the elderly; providing for pharmaceutical purchasing; conferring powers and duties upon the Department of Aging, the Department of Revenue, and the Department of Transportation; imposing penalties; and making repeals.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED AND PLACED ON THE CALENDAR

Senator TILGHMAN submitted the Report of Committee of Conference on SB 405, which was placed on the Calendar.

HOUSE MESSAGE

HOUSE INSISTS UPON NONCONCURRENCE IN SENATE AMENDMENTS TO HB 1536 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 1536, and has appointed Messrs. DeWEESE, EVANS and PITTS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

REPORTS OF COMMITTEES OF CONFERENCE SUBMITTED AND LAID ON THE TABLE

Senator LOEPER submitted the Reports of Committees of Conference on HB 221 and HB 1536, which were laid on the table.

BILLS SIGNED

The PRESIDENT pro tempore (Robert C. Jubelirer) in the presence of the Senate signed the following bills:

HB 1055, 1105, 1607 and 1644.

RECESS

Senator FISHER. Mr. President, I move that the Senate do now recess to the call of the President pro tempore.

The PRESIDENT pro tempore. The motion is carried.

AFTER RECESS

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Fumo. His temporary Capitol leave will be cancelled. Also, Senator Salvatore is with us. His temporary Capitol leave will be cancelled as well.

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

THIRD CONSIDERATION CALENDAR RESUMED

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

HB 1551 (Pr. No. 2416) — The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1552 (Pr. No. 2417) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), known as the "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1556 (Pr. No. 2418) — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Hahnemann University, Philadelphia.

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

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout

Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1564 (Pr. No. 2419) — The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1570 (Pr. No. 2420) — The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1579 (Pr. No. 2421) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
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	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1553 (Pr. No. 2386) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), known as the "Temple-University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1554 (Pr. No. 2387) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), known as the "Lincoln University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

Table with 4 columns of names: Afflerbach, Andrezeski, Armstrong, Baker, Belan, Fumo, Greenleaf, Greenwood, Hart, Helfrick, Loeper, Lynch, Madigan, Mellow, Musto, Robbins, Salvatore, Scanlon, Schwartz, Shaffer.

Table with 4 columns of names: Bell, Bodack, Bortner, Brightbill, Corman, Dawida, Fattah, Fisher, Holl, Hopper, Jones, Jubelirer, LaValle, Lemmond, Lewis, Lincoln, O'Pake, Pecora, Peterson, Porterfield, Punt, Reibman, Rhoades, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams.

NAYS—0

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

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

HB 1555 (Pr. No. 2349) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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, Bortner, Brightbill, Corman, Dawida, Fattah, Fisher, Fumo, Greenleaf, Greenwood, Hart, Helfrick, Holl, Hopper, Jones, Jubelirer, LaValle, Lemmond, Lewis, Lincoln, Loeper, Lynch, Madigan, Mellow, Musto, O'Pake, Pecora, Peterson, Porterfield, Punt, Reibman, Rhoades, Robbins, Salvatore, Scanlon, Schwartz, Shaffer, Shumaker, Stapleton, Stewart, Stout, Tilghman, Wenger, Williams.

NAYS—0

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

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

HB 1557 (Pr. No. 2351) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

NAYS—0

A constitutional two-thirds 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.

LEGISLATIVE LEAVE CANCELLED

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

**SUPPLEMENTAL CALENDAR NO. 1
RESUMED**

THIRD CONSIDERATION CALENDAR RESUMED

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

HB 1558 (Pr. No. 2352) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

NAYS—0

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

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

HB 1559 (Pr. No. 2353) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1560 (Pr. No. 2354) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout

Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1561 (Pr. No. 2355) — The Senate proceeded to consideration of the bill, entitled:

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

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

NAYS—0

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

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

HB 1562 (Pr. No. 2356) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart

Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1563 (Pr. No. 2357) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1565 (Pr. No. 2359) — The Senate proceeded to consideration of the bill, entitled:

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

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	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton

Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1566 (Pr. No. 2360) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1567 (Pr. No. 2361) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker

Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1568 (Pr. No. 2362) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1569 (Pr. No. 2363) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer

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

NAYS—0

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

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

HB 1571 (Pr. No. 1839) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1572 (Pr. No. 1840) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz

Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1573 (Pr. No. 1841) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1574 (Pr. No. 1842) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1575 (Pr. No. 1843) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

NAYS—0

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

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

HB 1576 (Pr. No. 1844) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lancaster Cleft Palate.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1577 (Pr. No. 1845) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1578 (Pr. No. 1846) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1580 (Pr. No. 1848) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Rehabilitation Institute of Pittsburgh.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1581 (Pr. No. 1849) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

NAYS—0

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

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

HB 1582 (Pr. No. 1850) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1583 (Pr. No. 1851) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1584 (Pr. No. 1852) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1585 (Pr. No. 1853) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

NAYS—0

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

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

HB 1586 (Pr. No. 1854) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1587 (Pr. No. 1855) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the Buhl Science Center.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1588 (Pr. No. 1856) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout

Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1589 (Pr. No. 1857) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

HB 1590 (Pr. No. 1858) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Everhart Museum in Scranton.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart

Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

A constitutional two-thirds 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.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 3

REPORT OF COMMITTEE OF CONFERENCE

REPORT OVER TEMPORARILY

SB 405 (Pr. No. 1502) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the Public School Employees' Retirement System and the State Employees' Retirement System; adding and amending certain definitions; further providing for membership in the systems, for creditable nonschool and nonstate service and the purchase of credit, for incentives for special early retirement, for contributions to the retirement funds, for annuities and the rights and duties of annuitants, for health insurance premium assistance, for board membership and for the re-amortization and management of the retirement funds.

Senator FISHER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 405.

On the question,

Will the Senate agree to the motion?

Senator CORMAN. Mr. President, I am going to be voting "no" on this bill. It has just arrived on my desk. It is rather thick. I have no knowledge of all the things that are in it. So for those who may be a beneficiary of this piece of legislation and wonder why I voted against it, it is not that I am necessarily opposed to all the things that are in here, it is just that I do not know what all is in here.

LEGISLATIVE LEAVES

Senator FISHER. Mr. President, I would request temporary Capitol leaves for Senator Loeper and Senator Jubelirer.

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

The PRESIDENT. Senator Fisher requests temporary Capitol leaves for Senator Loeper and Senator Jubelirer. Senator Lincoln requests temporary Capitol leave for Senator Lewis. The Chair hears no objection. The leaves will be granted.

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

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

And the question recurring,

Will the Senate agree to the motion?

Senator GREENLEAF. Mr. President, I just received a synopsis of this bill a minute ago, and it is the first time that I have seen it so I would ask that we go over it so we have an opportunity to review it. I am not prepared to vote for this bill without at least some study, without just a one minute notification.

The PRESIDENT. Senator Greenleaf has asked that we take the conference report to Senate Bill No. 405 over temporarily. Is there any objection to that request?

Without objection, the bill will go over temporarily.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR NO. 7

THIRD CONSIDERATION CALENDAR

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

HB 804 (Pr. No. 2441) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for membership of the board of The Pennsylvania Industrial Development Authority, for crime victims' compensation and assistance and for the rights of crime victims; providing for the continuation of medical insurance coverage for survivor-spouse annuitants; and providing for costs for offender supervision programs and for the deposit of certain surplus; further providing for the submission of agency budget requests to the General Assembly and for control of the budgeting processes by the General Assembly; providing for electronic access to certain information provided by the Governor; authorizing the Department of Environmental Resources to indemnify and hold harmless PermaGrain Products, Inc. from and against certain damages related to personal injury and property damage at Quehanna, Pennsylvania; permitting the drilling of water wells on State lands under certain conditions; further providing for municipal notices relating to certain permits issued by the Department of Environmental Resources; and providing for the expiration of the health-care facilities certificate of need process.

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 CORMAN. Mr. President, would someone summarize the various things that are in this bill? It is another one of those that just arrived on the desk and I would like to know what I am voting for or against.

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

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

And the question recurring,
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	Fumo	Loeper	Robbins
Andrezeski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker
Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

HB 1470 (Pr. No. 2445) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the preservation of the State Lottery Fund; further providing for pharmaceutical assistance for the elderly; further providing for transportation assistance to the elderly; providing for pharmaceutical purchasing; conferring powers and duties upon the Department of Aging, the Department of Revenue, and the Department of Transportation; imposing penalties; 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—50

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

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.

RECESS

Senator FISHER. Mr. President, I would request a recess of the Senate to the call of the President pro tempore, with the expectation that we will return to the floor around noontime today.

The PRESIDENT. Senator Fisher has requested a recess of the Senate at this time until approximately noon today. There being no objection to the request, the Senate will stand in recess.

AFTER RECESS

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

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1059**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE AMENDMENTS
BY AMENDING SAID AMENDMENTS
TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 185**.

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

HOUSE ADOPTS REPORTS OF COMMITTEES
OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Reports of Committees of Conference on **HB 89, 221 and 1536**, which were placed on the Calendar.

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1143, 1344 and 1470**.

BILLS SIGNED

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

HB 1143, 1344 and 1470.

SPECIAL ORDER OF BUSINESS

SUPPLEMENTAL CALENDAR NO. 4

REPORT OF COMMITTEE OF CONFERENCE

REPORT ADOPTED

HB 221 (Pr. No. 2442) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949, further providing for annual budgets of school districts, transferred programs and classes, funding programs for exceptional children and payments to intermediate units; providing for foreign language academies; further providing for definitions, for payments to school districts, for small district assistance and for payments on account of instruction, tuition, adult program travel, certain vocational education expenses and transportation; providing for equipment grants; making a repeal; and making editorial changes.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 221.

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Bell. His legislative leave will be cancelled. Senator Lynch is with us. His temporary Capitol leave will be cancelled. Senator Lewis' temporary Capitol leave will be cancelled. The Chair recognizes Senator Stout on the floor. His temporary Capitol leave will be cancelled. Senator Loeper was on temporary Capitol leave. His leave will be cancelled as well.

LEGISLATIVE LEAVE

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

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

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

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

YEAS—50

Afflerbach	Fumo	Loeper	Robbins
Andrezski	Greenleaf	Lynch	Salvatore
Armstrong	Greenwood	Madigan	Scanlon
Baker	Hart	Mellow	Schwartz
Belan	Helfrick	Musto	Shaffer
Bell	Holl	O'Pake	Shumaker

Bodack	Hopper	Pecora	Stapleton
Bortner	Jones	Peterson	Stewart
Brightbill	Jubelirer	Porterfield	Stout
Corman	LaValle	Punt	Tilghman
Dawida	Lemmond	Reibman	Wenger
Fattah	Lewis	Rhoades	Williams
Fisher	Lincoln		

NAYS—0

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

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

SB 405 CALLED UP

SB 405 (Pr. No. 1502) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of Supplemental Calendar No. 3, under Report of Committee of Conference, by Senator LOEPER.

REPORT ADOPTED

SB 405 (Pr. No. 1502) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the Public School Employees' Retirement System and the State Employees' Retirement System; adding and amending certain definitions; further providing for membership in the systems, for creditable nonschool and nonstate service and the purchase of credit, for incentives for special early retirement, for contributions to the retirement funds, for annuities and the rights and duties of annuitants, for health insurance premium assistance, for board membership and for the re-amortization and management of the retirement funds.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 405.

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

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

YEAS—50

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

NAYS—0

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

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

RECESS

Senator LOEPER. Mr. President, at this time I would ask for an unusually brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to take place in the Rules Committee room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of a very brief meeting of the Committee on Rules and Executive Nominations, the Senate will stand in recess. Would the Members of the Committee on Rules and Executive Nominations please report to the Rules room at the rear of the Chamber.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Hopper, Senator Armstrong, Senator Jubelirer and Senator Fumo and their temporary Capitol leaves will be cancelled.

REPORTS FROM COMMITTEE

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

SB 1059 (Pr. No. 1504)

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," providing an amnesty program for the payment of delinquent taxes; providing for the examination of books and records by the Department of Revenue; further providing for certain interest payments and the rates of interest, for the settlement of taxes and for the filing of liens and writs of revival; providing certain subpoena powers to the Department of Revenue; providing for unfair sales of cigarettes; and making a repeal.

HB 185 (Pr. No. 2444)

An Act Amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for the imposition of sales and use tax on certain services and for the reissuance of sales and use tax licenses; providing for the increase of personal income tax, for poverty exemptions to the tax, for notice of certain sales and transfers and for the withholding of certain tax on shares; further providing for the imposition, rate and collection of corporate net income tax and capital stock and franchise tax; further providing for the collection of bank shares tax, insurance premiums tax, and title insurance and trust companies tax; extending the utilities gross receipts tax; further providing for the collection of the public utility realty tax; increasing the rate of the cigarette tax; imposing a cigarette floor tax; further providing for commissions for cigarette tax agents, and dedicating a portion of the revenues for agricultural farmland preservation and children's health care; further providing for imposition, collection and administration of tax on property passing upon death; further providing for the reports and payments of certain estimated taxes; and making repeals.

SPECIAL ORDER OF BUSINESS**SUPPLEMENTAL CALENDAR NO. 8****BILL ON CONCURRENCE IN HOUSE
AMENDMENTS TO SENATE AMENDMENTS****SENATE CONCURS IN HOUSE AMENDMENTS**

HB 185 (Pr. No. 2444) — The Senate proceeded to consideration of the bill, entitled:

An Act Amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for the imposition of sales and use tax on certain services and for the reissuance of sales and use tax licenses; providing for the increase of personal income tax, for poverty exemptions to the tax, for notice of certain sales and transfers and for the withholding of certain tax on shares; further providing for the imposition, rate and collection of corporate net income tax and capital stock and franchise tax; further providing for the collection of bank shares tax, insurance premiums tax, and title insurance and trust companies tax; extending the utilities gross receipts tax; further providing for the collection of the public utility realty tax; increasing the rate of the cigarette tax; imposing a cigarette floor tax; further providing for commissions for cigarette tax agents, and dedicating a portion of the revenues for agricultural farmland preservation and children's health care; further providing for imposition, collection and administration of tax on property passing upon death; further providing for the reports and payments of certain estimated taxes; and making repeals.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 185.

On the question,

Will the Senate agree to the motion?

Senator FISHER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Loeper.

The PRESIDENT. Will the gentleman from Delaware, Senator Loeper, permit himself to be interrogated?

Senator LOEPER. I will, Mr. President.

Senator FISHER. Mr. President, there is a question that has arisen regarding the interpretation of the taxability of dividends between corporations and their subsidiaries. It was my understanding that foreign dividends or dividends from corporations outside the United States would not, in fact, be taxable under this Tax Code. I would like to know if the Majority Leader, as one of those who helped to craft this amendment, knows whether it is the intent of this section, which can be found on page 61 of the bill, Section 401, (3)(B), to treat all dividends, regardless of origin, according to the federal method of taxing dividends received from United States corporations?

Senator LOEPER. Mr. President, yes. In the negotiations it was in fact the intent, and I think the simple answer to the gentleman's question is yes.

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Lebanon, Senator Brightbill, will state it.

Senator BRIGHTBILL. Mr. President, I believe this bill provides for the taxation of storage units. Is that correct? Sales tax on storage unit rentals?

The PRESIDENT. The Chair is advised that the gentleman is correct.

Senator BRIGHTBILL. Mr. President, I am the proprietor of storage units. Does that fact create any kind of conflict which would prohibit me from voting?

The PRESIDENT. The Chair would rule that the gentleman is, in fact, a member of a class and not benefiting directly from the language of this bill and, therefore, is not only allowed to vote but required to vote if he is present on the floor.

Senator PECORA. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Loeper.

The PRESIDENT. Will the gentleman from Delaware, Senator Loeper, permit himself to be interrogated?

Senator LOEPER. I will, Mr. President.

Senator PECORA. Mr. President, this has a tax pertaining to storage units. Are any counties exempt from this tax or is it all counties of Pennsylvania?

Senator LOEPER. Mr. President, could the gentleman indicate to me what section of the bill he is referring to?

Senator PECORA. Mr. President, I do not have the bill here. I just have a Supplemental Calendar.

Senator LOEPER. Mr. President, could the gentleman repeat the question?

Senator PECORA. Mr. President, is there any county in this Commonwealth that is exempt from this tax? It has been brought to my attention that one county is exempt.

Senator LOEPER. Mr. President, my understanding is there is an exemption for the port district of warehouses where, in fact, merchandise may be stored that would be related to a port exemption.

Senator PECORA. Mr. President, is the port exemption in Philadelphia?

Senator LOEPER. Mr. President, the language dealing with the port storage issue specifically indicates that the term excludes storage of such property which is unloaded from maritime vessels and which is stored and then later loaded on maritime vessels when such a storage or loading takes place within 25 miles of a port district, and a port district is defined as that in the Philadelphia Regional Port Authority Act.

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

Mr. President, I rise in opposition to House Bill No. 185. I feel that a one percent increase in the personal income tax is outrageous. I feel it is a tremendous burden to the working people of this Commonwealth. I feel that the sales tax increase is also an additional burden, and other taxes, and the expansion of that sales tax to other items which the average working person will be hurt the most. We sit up here and give the impression that we are representing our constituents, and we are providing taxes and voting for these taxes to give a tremendous tax increase in this Commonwealth which could be

the highest tax increase that Pennsylvania has ever had. Mr. President, I feel that is a very bad move on the part of this Senate. We are trying to get out of a recession in this country. We cannot blame that recession on Pennsylvania alone, but we can help not create this recession to extend beyond the Commonwealth and other states. We must do our best to keep a lower budget. I was expecting a much lower budget than this, comparable to the budget that was first initiated by the Governor. Mr. President, it has been brought to my attention after the Governor also initiated his budget, he sent down additional expenditures and increases in his own budget. Then our four leadership groups of the House and Senate put in additional revenues, revenues that give you the impression that everybody has their own agenda, and that agenda is not the people of this Commonwealth.

Mr. President, I can only request a negative vote upon this legislation and believe that we should start over and do a better job for our constituents.

Senator GREENLEAF. Mr. President, I rise in opposition to this legislation. For weeks I have been advocating a more balanced approach and, unfortunately, there have been some cuts in the budget, but as compared to this tax increase, which is the largest tax increase in the history of this state, I do not believe we have accomplished our purpose. States such as Michigan, and others, when they have dealt with this problem, have at least had it half and half—half cuts and half taxes. This budget does not reach that level. We have a situation where the average wage earner is going to be hurt by these income tax increases. The consumer is going to be hurt by the sales taxes that have been expanded and, of course, business and industry are going to be hurt in regard to creating more jobs in commerce. I think, unfortunately, we have engaged in a spending frenzy rather than a cutting frenzy. I think this is unfortunate for Pennsylvania and obviously unfortunate for the citizens of this Commonwealth.

Senator HOLL. Mr. President, not having had an opportunity to participate in the preparation of this legislation and having been denied an opportunity to offer amendments on the floor to change this legislation and having had little or no time to properly study the budget, I will vote "no." This experience in 1991 makes it incumbent on this legislative Body to find a better way to enact future budgets, a better way to develop legislation on a vital item to all taxpayers and Pennsylvanians, such as a budget. The public will care little nor long remember the rhetoric heard on the floor here today or in the House of Representatives, but the public will remember those who are responsible for this budget and these taxes. Certainly no one can ignore the recent reaction of the taxpayers in New Jersey after the ill-fated tax increases. You will recall that Senator Bradley almost lost his election because he did not oppose the Florio tax package. No one here can forget the reaction in Pennsylvania to the ill-fated CAT Fund, and that was only \$5.00. For these reasons and others, I intend to vote "no." This legislation also contains an item taxing premiums on insurance providing for annuities. The proposers and originators of this tax call it a tax on non-retirement annuities.

The proposers say that if an annuity is purchased for retirement, it will not be taxed under the plan. This is not true. The only exempted annuities by the language of the bill will be those exempted under the Internal Revenue Code such as IRA and the 401K plans. This means that if you buy an annuity for your retirement, it will be taxed. It provides a double burden upon small Pennsylvania insurance companies, and we can expect to see an exodus of these companies to other states.

Let me give you one example of an insurance company—the Protected Home Mutual of Sharon, Pennsylvania. Under this proposal, they would pay Pennsylvania \$320,000 a year in premium tax returns, but to other states \$2 million a year. So what we are doing with this legislation is causing a Pennsylvania domiciled insurance company to pay other states, through their retaliatory tax situations, millions of dollars, and this is only one insurance company.

Senator SHUMAKER. Mr. President, in business it is bad business and bad practices when you have deficits to just throw money at them. In effect, here we have not tried or used any business practices such as seeing where cost savings could be effected before raising taxes. Too often we have solved problems in the General Assembly by just raising money, throwing it at the problem, and coming back again the next year and the next year and the next year and throw more money at it. Therefore, this is not a good business bill. This is an anti-business bill, and I would urge a negative vote because we are doing nothing except throwing money and not going back to the core of seeing where we can save money. I think we must do that first.

LEGISLATIVE LEAVES CANCELLED

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

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

Senator ARMSTRONG. Mr. President, I was hoping this year things would be a little different. Things are so bad in Pennsylvania perhaps we could start looking at some of the programs that are useless or some of the programs we should cut back and we could actually start saving some money and cutting expenses. I think that is what the people of Pennsylvania want. You would think in a recession the worst case scenario is that we would increase our budget maybe two or three percent, like other states are doing, but, no, we are increasing our budget 12 percent. Now we have to raise the taxes to match it. I think if you go in your local diner and have a cup of coffee and start talking to people, you get a feel of what is really going on out there. They feel very, very strongly about raising taxes and they feel very strongly about cutting expenses, and we are doing just the opposite. I think this has far-reaching implications on businesses in Pennsylvania, and it is going to be months and maybe years before we really see how bad this really is. It is going to make Pennsylvania so uncompetitive that other states and other countries are going to be beating us out of jobs. When you lose a job—you talk

about a tax on that person—that is 100 percent tax. It does not get any worse than that. I feel very strongly that this is perhaps the last straw, and the voters of Pennsylvania will remember this for quite a long time.

Senator LOEPER. Mr. President, we probably have before us today one of the most controversial pieces of legislation of this Session of the General Assembly. I would just like to take a moment to reflect on it and speak a little bit about it because I guess I have spent quite a bit of time in the last eight weeks at a negotiating table with fellow leaders of our respective caucuses trying to hammer out a spending plan as well as considering a revenue proposal in order to match that spending plan. I think to characterize it, when I came to my caucus this week and we started to distribute the highlights of the spending plan and also those of the revenue proposal, I indicated to the caucus that what we are going to talk about today and what I am showing you is certainly not pretty. It is not nice. There are a lot of things about it that are not nice or are not pretty, but I believe it is the best example of a responsible proposal that the negotiators could put forward. I think, Mr. President, if we were just to take a moment and reflect upon the process and really look at the options that were available to us in trying to put a spending plan together for Pennsylvania for fiscal 1991-92, sure there was the option, number one, of a no-tax-increase budget, and I think all of us realize what the implications of a no-tax-increase budget would be. That would be approximately a 20 percent cut in our school funding formulas to each one of the school districts. It would force a massive county increase in taxes to cover human services that have not been funded properly for at least the last year or payments not made in a timely manner. It would have hurt all of our institutions of higher learning, all the programs we had so diligently fought for in past years. That was option one.

Option two was to take a look at a deficit that was approaching the neighborhood of about \$1.5 billion, and we could have enacted last year's budget. However, just to enact last year's budget, and if we looked at that spending level we also see that there are certain things we really have no control over as far as escalating costs from that budget are concerned, costs such as mandated services, an increase in medical assistance recipients, an increase in cash welfare assistance, increases in court settlements that are mandated by the courts for the state to pay for services rendered, settlements of certain suits, and I think, Mr. President, if we were to look at that and say, well, why do we not enact last year's budget, we would be looking at trying to fill a hole in the neighborhood of about \$2 billion. That means we would have to put up our tax votes in order to fill that hole of \$2 billion. I think each one of us in this Chamber is very concerned about the votes we are about to make, not only on this particular bill before us, but also on a General Appropriations bill which we will be considering in this Chamber later this afternoon. When you look at the options, Mr. President, none of them are pretty, none of them are very nice. But you know, Mr. President, it is now August 4th. We are already 34 days or 35 days past the

date of putting into passage a spending plan for fiscal 1991-92. There are many hard decisions that have to be made, but I believe that I am going to be a tax vote today in order to fund the plan we have before us. There are many Members of my caucus who feel very strongly that we should have tried to cut as much as we could and then try to deal with revenues that were needed to balance that budget. I think in the case of the negotiators, and we talked about it, we tried to cut in many cases, but yet there were issues that were out on the table that we felt very strongly about, that the House Republicans felt very strongly about, and yet in a negotiated compromise there is give and take and some of those issues were included and some were not. I believe, Mr. President, that the plan that is before us today represents an adequate revenue proposal, one that will fund the General Fund spending plan that is before us also today. I would just like to take this opportunity to indicate that I am going to vote for this in the text that I believe it is the best job we can do under the circumstances.

Senator BRIGHTBILL. Mr. President, we have before us a revenue plan but what we do not have before us is a revenue plan that exists in a vacuum. I remember sitting here several months ago and watching the YMCA students debate various proposed laws and I remember sitting over on the other side of the aisle where the staff of the Democratic caucus is sitting today and thinking that this was a great experience for these young people but that it lacked a certain element of realism in the sense that there is no real world constituency out there. Everything that they did they did in a vacuum. Today, Mr. President, we do not have that benefit, we are here in a real world. There are people out in the street today who are out in that street, one way or another, a lot worse off because of the kind of debate, the length of debate, the inability of the Pennsylvania General Assembly and Pennsylvania government to get itself moving forward. There is a real constituency out there in the real world. We are hurting people by being here today, Mr. President. We are hurting people by being indecisive. We are hurting people by not coming up with a solution. I agree very much with the gentleman from Delaware, Senator Loeper. I do not like the solution. There is much in this bill that philosophically I have real difficulty with. There was a time that I would have said that I would never vote for the kinds of things that are in this bill, never vote for the kinds of taxes that are represented in this bill. I am going to do that today, Mr. President, because I know that the time for debate has come and gone and the time for decision is here and the time to exercise political courage and responsibility is right here today in this Chamber. We need to end the chaos. We need to end the debate and we need to end the perception of the public that we cannot do our job. Mr. President, I am a proud Member of this General Assembly, and I am a proud Member of this Senate and I am proud of the people who I serve with. I think the process that we have is a great process and I do not think there is anything wrong with this process, but I do think the time comes when some people have to get up and say we have had enough talk, we have had enough rhetoric. The time has come to cast a vote and make this gov-

ernment move forward. I plan to vote "aye" and do that here today. We also have to remember, Mr. President, that this is a plan which after hours and hours of debate and backroom negotiations, passed the Pennsylvania House of Representatives with only 103 votes. Give it another five hours and those 103 votes may have been 101 or 100 votes. Give it another 30 days, and there may only be 50 votes there. Mr. President, my judgment is that the longer this goes the worse it is going to get, not only for the public we are supposed to serve, but also for this government. We have two choices. We can move forward or we can move backward. I believe an "aye" vote is a motion to move forward. I would not be surprised if we come back here and change some of these taxes. I hope we do. I would not be surprised, as these taxes take effect and there is public debate, that we modify these taxes, and I hope we do that. The time has come to put up our votes and to say what kind of a person we are. Politically, Mr. President, we are all expendable. The time comes in each of our political lives when we have to do what is right. That time is here today.

Senator FATTAH. Mr. President, as a Member of the Senate, a freshman Member of this Body, I stand and rise in support of House Bill No. 185. I think the previous speaker said much of what I would like to say inasmuch as we can all be opposed to these taxes if we want, but we cannot be opposed to what our real mission is—to help the people who have elected us, to respond to the needs of 501 school districts, to make sure that our state universities are adequately funded and to provide for the health and welfare of the citizens of this Commonwealth. In order to adequately do that we need to have the revenues available. Tax votes are going to be tough votes, but I remember as a Member of the Legislature over the last 8 years many a vote in which we decreased taxes here in the State of Pennsylvania when it was felt in the collective wisdom of the General Assembly that we had appropriate revenues to respond to the needs of the people in this state. If, on one hand, we can do that in an hour where we think we have the needed revenue, then we should be able to stand up and be counted to respond to the real needs that exist now and raise revenues. There is a real constituency out there, a constituency that understands the real issues of life, that costs do rise, that needs are sometimes greater at certain times than at other times. Across this country we see other states—California, New York, we saw New Jersey last year and this year—tussling with major budget issues. We had to act like we are what we are. We are a major state in this country. We have our own needs and we have to be as responsible as we pledged we would be when we ran for election. I have heard a couple of the previous speakers say, well, the public will remember this. I would hope that they would, for I believe that when it is all said and done they will understand what we should have understood a month ago, that there is a need for additional revenues to continue to respond to the real needs of real people in this state, that we have to think a little bit more about the next generation than the next election. So I rise in favor of House Bill No. 185 and I would hope for favorable consideration of this bill today.

Senator PECORA. Mr. President, I appreciate some of the comments made, but when I spoke previously I did not say the budget was bad. I was talking about the taxes being bad. I talked about the one percent tax increase, that one percent personal tax increase that I have been receiving calls back home about. State employees of AFSCME signed a contract with no pay increase. Now they are calling my home and complaining: We did not get a pay increase but, boy, you are sure taking it from us and I only make \$20,000 a year. You are taking one percent, \$200, out of my paycheck; you are taking an increased sales tax out of my paycheck; you are taxing my cable TV service; you are taxing everything that walks and everything that does not move. Mr. President, I know the needs of this Commonwealth. I know that we need a budget. I did not say that we went from one extreme to the other like one of my fellow Senators said here. I said that we should have a more responsible budget, a budget that represents the people who elected us to be here, not all this bull we are giving the public at this microphone. I looked at the Governor's budget. The Governor, for grants for the arts organization, the National Endowment of the Arts, recommended \$9 million. Our leaders came up with \$11 million. We increased what the Governor projected.

For government operations in the Commerce Department, the Governor said he only needed \$7,494,000. We in the Senate and House raised it to \$13,324,000. We are saying the Governor does not know what he is doing. We add on, add on and add on. We are not representing our constituents. We are representing ourselves, our own agenda, which I said earlier. I could go on and on where the Governor recommended other expenditures and we put in increases of \$45 million, increases of \$46 million.

We bloated this budget to the Legislative Body. We over-bloated it. We can talk about our responsibility for the future. We are going into the future by bankrupting our working people in this Commonwealth and by additional burdens on our unemployed in this Commonwealth. There are many good things in the budget and there are expenditures that are needed, Mr. President, and I am willing to support them, but do not bloat our special agendas. We should look out for the priority and that is the people in this Commonwealth and not ourselves.

Senator FISHER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Loeper.

The PRESIDENT. Will the gentleman from Delaware, Senator Loeper, permit himself to be interrogated?

Senator LOEPER. I will, Mr. President.

Senator FISHER. Mr. President, there are a number of items in here which expand the sales tax, and I look at the effective date section and the last two pages of the bill, and I do not see any specific reference to those sales tax issues. I was wondering, Mr. President, if Senator Loeper could indicate what the intent was regarding the implementation of the changes in the Sales Tax Act?

Senator LOEPER. Mr. President, it was the intent of the drafters to follow the statutory construction principles, which means a 60-day effective date.

Senator HOPPER. Mr. President, I would like to reflect a minute on the retirement aspect of this bill. Before being elected as a Senator, back in 1976, I worked as an attorney in the field of estate planning. In the 1960s the federal government passed what we called the PBGC, that means Pension Benefit Guaranty Corporation. That provided that anybody installing a pension plan had to pay an extra dollar or two—I think it was a dollar for each participant under a pension plan—into the Pension Benefit Guaranty Corporation. This corporation was to guarantee people their retirement, whether it be through an annuity or whether it be through an endowment policy or whether it be through a retirement income policy, or whatever. With the failure of the Executive Life Company and the failure of the Mutual Benefit of New Jersey, the rest of the companies that survived, like Prudential, Aetna and the rest of them—I am not going to name a lot of them—were nailed pretty heavily by the Pension Benefit Guaranty Corporation in order to completely fund people's retirement benefits. In those days if you had a qualified pension plan under the Revenue Code or 401-type pension plan, you were exempt, and the point of my observation is that in addition to the Pension Benefit Guaranty Corporation really nailing the surviving insurance companies in the industry that are providing retirement to individuals, this bill puts an extra two percent tax on it. It is going to drive business out of Pennsylvania because a lot of people were funding their retirements through Executive Life and through Mutual Benefit of New Jersey, and the Pension Benefit Guaranty Corporation, as I just mentioned, nailed them pretty heavily to help make up for the losses of pension benefits in Executive Life and Mutual Benefit. I rise to say that I am going to vote against this plan. It has a lot of other problems in it, but on that problem alone I am going to vote against this bill.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate agree to the motion?

Senator FUMO. Mr. President, I said months ago in order to get through this budget crisis it was going to take one human trait and none other, and that was the trait of courage. That is true today as it was when I said it before. Yes, this tax increase is a big tax increase. It is always difficult to vote for tax increases, particularly in the light of the media bombardment that we have been receiving in presidential campaigns for the last 12 years. It does not make it easy for us who are in government, who want to be responsible to do that job, when we are told day in and day out that there is a free lunch and the public is entitled to it.

Mr. President, I heard people on this floor tonight talk about cutting the budget. In our caucus we showed our Members a no-tax budget. That pretty well ended that discussion in our caucus, and I thought it ended in the Republican caucus as well. The fact of the matter is that in this tax

increase there is almost \$2 billion devoted just to handling deficits. We can talk for hours and hours and hours about whose fault that is, and certainly I have talked often on this floor about that. Mr. President, we did not do what we probably should have done last year, and that was to raise taxes to meet last year's deficit and at least take away the deficit this year that only grew almost geometrically. But I see the problems we are having tonight in doing it a year late and not in an election year. I can easily see what happened last year when it was an election year. But all of those problems and all of that lack of courage does not change the reality that government has a function in our lives, and it is a function that is clearly defined in Pennsylvania in this budget and in the programs we have in this state. They have been negotiated and fought for, both from a liberal point of view and a conservative point of view. Mr. President, I was asked many times during this crisis, why can we not only raise taxes \$2 billion or \$2.4 billion or \$2.6 billion? The answer to that question is that the art of this budget, as is the art of politics, is the art of compromise. In the House we saw the very close majority that this passed by. Yes, there are some things in this budget that if I were the only one writing it, I would take out. I would not put money in here for affluent school districts just because they have to get something, and I know full well if there were other Members in this Chamber who had the right to vote this just as one vote and write it themselves, they would take out programs from my county and everybody else's county. But the fact of the matter is that in order to get a constitutional majority, you have to accommodate people. The distasteful part about this to me is that there are a lot of people who are going to be helped and know they are going to be helped but absolutely refuse to share the responsibility of that aid. Mr. President, I know that some leaders who were negotiating this package received calls from Members, and the Members chastised them and said, make sure you do not spend a lot of money, make sure you do a lot of cuts and oh, by the way, do not forget my program. Make sure it is in. I say let he who is among us without sin cast the first stone. As I look around this Chamber, I do not see many people who told those negotiators, do me a favor, I am not going to vote for taxes so why do you not save a little money and stick it to my county because it will make the tax bill a little smaller. I never got a phone call like that and I know that the House Democratic Leader never did, and from my conversation with the Republican negotiators, ironically, they did not get any either. But yet, if and when we pass this, that money will be pumped into those districts. Yes, Mr. President, state workers will be paid. I have very few in my district. The overwhelming majority live in the Harrisburg area. They are constituents of other Senators. Their constituents will be paid.

Mr. President, I have heard about useless programs. Why do we not cut some things? Well, let me ask, where shall we cut? Shall we cut prisons? Can we afford to cut prisons when we got wrapped up in the Willie Horton politics of the day, when we passed mandatory sentence upon mandatory sentence saying to put people in jail for anything you can think

of? We all demagogued it to death and now what do we have? A prison crisis. We cannot build cells fast enough. And has the crime rate gone down? No, but guess what. Every time we snatch a member from society and live up to the rules that we adopted, it costs us \$35,000 a year for every one of those turkeys, \$35,000 a year. Well, maybe we should cut that and then we will have a Camp Hill crisis, and then we will have Members here complaining that we are not doing enough, that we need more security. Maybe we should bump that cost up to \$50,000 a year and hire more guards to protect us. So I doubt very much, Mr. President, if we could cut prison costs, but they are rising through the roof.

Maybe we should cut basic education. Certainly in this budget we put over a quarter of a billion dollars in new money into that program. Is that one of the cuts that somebody who is not going to vote for taxes wants to propose? And if we did that, do we really think we would be helping our constituents at home, or do we not realize that the equation must balance and those costs must be paid and local taxes will go up? Mr. President, do we cut federally mandated programs? Certainly for some people in this room that would be the easiest thing to do. Let us cut medical assistance. Let us cut cash grants. Let us cut AFDC. I submit to you, though, many of you have constituents who need that aid, but even if you want to say that, you cannot do it because the federal courts will not let you.

I do not like taxing insurance companies. I do not like taxing any companies, but I like taxing consumers less. I have heard the wrath and cry from the business community what a horrendous tax this is because they are going to pay their fair share, maybe a little bit more than their fair share because the problem is so big. Mr. President, we have had a history in this state of raising taxes when they are necessary and then lowering them when we can. There is no one in this Chamber, whether he is a "yes" vote or a "no" vote today, who harbors deep in his heart the vendetta to never lower taxes. In fact, I submit everyone would like to do it as quickly as we raise them. We cannot afford the luxury in Pennsylvania of saying no new taxes because our budgets have to be balanced. Does it impress anyone that Pennsylvania is 43rd in government spending for \$1,000 of personal income? Does it impress anyone that we rank 39th in combined state and local taxes per \$100 in personal income? Does anyone listen when we know that we are 50th, dead last, in the number of state employees per 1,000 citizens? Is that a bloated budget that we have to cut? If so, why has that logic and that light not appeared to the 49 states ahead of us? Mr. President, this income tax that we currently pay today, not the increase but the one we currently pay today, is actually lower than it was 20 years ago when it was enacted. It was enacted at 2.3 percent, and it went down and it went up and it went down and it went up. It even went up during a conservative Governor's term, Dick Thornburgh, and I will not belabor the record by reading back to the Members on that side of the aisle who then felt an obligation to defend their Governor and said why we have to raise taxes during a recession. Mr. Presi-

dent, this recession we are suffering in Pennsylvania and America is far worse than any recession we have seen before, and I fully suspect if it would not cause a panic we could probably almost cause a depression. But I know a little bit about economics and I know a little bit about political economics, and one of the things that keeps the economy going is hope. I fully expect our President to say every day that the recession is over. I want him to say that. I want him to make people feel good. I wish he had started to say it earlier and I wish he were more convincing. Mr. President, the fact of the matter is when you look at the economic indicators in Pennsylvania and you look at the money we are receiving in taxes, et cetera, the economy has not even begun yet to shift. So what are we to do? Are we to stand here like a three-year-old child who says I want to spend but I do not want to tax? I want my cake and I want to eat it too. Mr. President, how do we do that? Is that a good business practice I heard somebody talk about? I do not know. No one in this Chamber was forced to be here. We all ran voluntarily. Maybe one or two of us, and not me certainly, have had the luxury of being drafted by someone, although I only see that in movies, but no one is here because they do not want to be. When you come here, your obligation was stated the day you were sworn in, to defend this Constitution and to live by it and to obey it. This Constitution requires a balanced budget. It does not require demagogic statements. It does, however, require courage. Today will be the test of that courage.

Mr. President, I want to thank the Republican leadership for the efforts that they put through in trying to help us today and the efforts they put through in the Senate, particularly in light of the pressures they received from some of their more conservative colleagues in the House. That took courage. Mr. President, I want to thank the gentleman from Delaware, Senator Loeper, who helped move these negotiations along so many times when they were stalled, who knew, as we all knew, that this has to get done. There is no escape. I want to thank the other Members who helped negotiate this budget and this tax program. It was not easy. It was long and it was hard and it was difficult. I want to thank the staffs of the Committees on Appropriations and the leadership who have been here with us day and night. I want to thank those staff members who stood up for 24 hours, and we finally sent some of them home at 10:00 o'clock this morning and they are back again, people who have not been paid in this Chamber, people who have families and people, in many cases, who truly live paycheck to paycheck, but they did not walk away. They stayed and did their job, as tough as it was and as long as it was.

Mr. President, I do not know where the votes will come out on this. I would only hope that people would put aside some petty ego problems they may have, and granted, that is on my side of the aisle much more than the other, and that people would recognize that courage is what makes the difference between a politician and a statesman, and I would hope that tonight this Chamber will be filled with statesmen and not with politicians.

Senator STOUT. Mr. President, I do not know what famous American said this—maybe it was Casey Stengel or maybe it was Yogi Berra—I think it is *deja vu* all over again.

I have literally come full circle in the 20 years I have been privileged to serve in the General Assembly. I came in 1971 as a freshman Legislator, full of idealism and maybe I could do a lot to change Pennsylvania, because when I got elected in November of 1970 Pennsylvania was then in a budget crisis. We had gone through stopgap budgets before that for 18 months, and I came in and not only once, not only twice, but three times as a freshman House Member I put up a vote for then the Governor Shapp Administration for the first personal income tax in Pennsylvania. We passed that bill because we had court challenges and we passed it again and we struggled. My reward as then a candidate as a sophomore Member was redistricting. You saw five of my colleagues around go down. My opponent put my picture on the first state income tax, which, incidentally, was filed April 15, 1972, which was not a good year for Democrats because you guys had Nixon and we had George McGovern. But I survived by 197 votes, and I spent six years at the other end of this building. In 1977 I came into this Body, along with my good friend, the gentleman from Centre, Senator Corman, as a freshman Senator, and lo and behold, the tax crisis of 1977. Ladies and gentlemen, you are looking at vote number 26 on August 10th in this Chamber to pass that tax bill, the good old down country boy J. Barry. In the 1978 Primary Election my own party went after me. They drowned but I survived because I told people the truth. If you are going to be responsible and fund state government, be it for your senior citizens, for the young people we need to educate, for the people for higher education, for the roads, for the economic development things all of us know we have to have here in Pennsylvania, and I voted and I survived. I will vote for this bill in 1991. Twenty years I have supported that. I have supported every tax measure, not only for Democratic governors but for Republican governors, and I have survived because I have told people the truth. If you are going to be for a program, then you need to support it. There should be a lot more than 26 votes on this floor. There should at least be 27 because you know what your opponent will use. If so-and-so had not voted for it, it would not have passed. We know that is not fair to those of us who have to put those votes up.

I argue and I joke with my colleagues here about the whole hog sausage, and I do not want to see Philadelphia get all the loins and Allegheny County get the hams and the rest of us get the sow belly, just grind it up. I know Philadelphia and Allegheny County, because they are bigger, will get more. But we have to be responsible to those people. We are nearly 35 days late. We have literally caused chaos in this Commonwealth, and if we do not do that we are going to have chaos and everybody in this Chamber knows it. Those Members who are not going to vote for that—I am sure their printing presses and the fax machines will be sending all those good increases in school subsidies back to their districts—how is that going to reduce taxes, kaput. We put a clause in there to cause the reopener

and to show people where their money is going to go. But, as I like to use a lot of old country sayings, I think the one that is really appropriate is what my grandmother Grace used to say. You know everybody here wants the good things, the good life, the money for education, the money for higher education, the money for roads, for senior citizens, for all the human services programs. Just like grandma Grace used to say, everybody wants to go to heaven; ain't nobody wants to die. Do the right thing, both sides of the aisle.

Senator ARMSTRONG. Mr. President, I realize voting for taxes is no easy thing for anyone in politics. I voted for them and I voted against them, but I think the frustrating part is that there are ways that we could cut and it seems that we never address those because politically, I guess, it is very unpopular. Just a few things popped into my head. I think we are the only state that has a no-waiting period for welfare recipients from other states. You can come in here from New York, come right into my hometown, go into Lancaster City, and that day you are on welfare grants and you can go and get free medical care. Most states have a 30-day waiting period. That would save tens of millions of dollars. I do not think we should be beholden to anyone from any other state to come in here and abuse our system, but that is what they do. This is what was told to me by welfare workers at Manor Street in Lancaster. They are fed up with the system because it just gives people a free ride in Pennsylvania. A welfare recipient can go into an emergency ward and charge \$125 to \$200 to come in for anything at all, whether it is serious or not serious, whether it is a headache or a hangnail or something very serious. Why not go to a family practitioner for \$25 to \$30 a visit?

True story. My son last summer was 19 years old. He got out of high school. We have a backhoe on the farm so he learned how to operate a backhoe. He got a job for a local contractor in Lancaster. He was making \$9.00 an hour, not a bad wage for a 19-year-old boy. He got into a prevailing wage job. We have to pay artificially high wages to build our schools. His wages went from \$9.00 an hour to \$28.22. He was bringing home more money per week than I was with my Senate pay. Something is wrong with a system like that, that pays someone three times their salary from one day to get into a prevailing wage job to build a school, or whatever it is. We are paying people for votes is what it is. It is wrong. Maybe we should sell the liquor stores, that is another thing that is not paying its way but that is something we have talked about. Bond counsel. We do not want to touch bond counsel. We could probably have our own group of lawyers up here and do all the bond counsel work in Pennsylvania and save tens of millions of dollars. We do not want to do that because we defend those people who send checks for campaigns. It is wrong. Architect fees, 6 percent of a school in Lancaster, a \$30 million school, \$1.8 million for an architect fee. Why do we not have standard architect drawings here for schools, you know, maybe 10 or 12 that we could use? Six percent fee, that is exorbitant. I think the thing that really frustrates me is that we always say we are going to do something about it but every

year it gets worse. But the thing is, it is even worse this year than it has ever been. I have been up here 15 years. I do not know of one year during the entire time we have had an increase in the budget this high. We are talking 12 percent. Most years it is 3 or 4 or 5 percent, the cost of living. Now we are at 12 percent and it is a recession. It is not business as usual, it is worse than usual.

Senator LINCOLN. Mr. President, as in every debate, I believe there are issues that have to be dealt with that sometimes end up being part of the record that are not quite accurate. The gentleman from Lancaster, Senator Armstrong, made reference to residency requirements for welfare recipients, and as far back as the 1930s, with a very conservative Supreme Court in the United States, decisions were made that prohibited states from extending their laws to their borders to keep individuals out who needed that type of assistance. A very important Supreme Court decision took place in 1969 in the Shapiro v. Thompson decision when durational residency laws were ruled unconstitutional and it is under the 14th amendment. So there are some things that we just do not have any control over, and I believe that is such a minor part of what we are dealing with today that I had to make some remarks that I was not prepared to do in regard to some of the reasons why we are facing the vote we are facing right now. I have been part of the negotiating team that started sometime back in June. We have explored every option available. We have allowed each caucus to see what a scorched-earth budget produced. We have looked at every particular issue as far as the taxes we are recommending to become part of the law, and we did everything possible to make that tax burden as less onerous as we could. There are times in every government's history when a number of factors come together that cause problems. Other speakers have spoken to those issues such as a receding federal commitment to state and local and county and city governments, an increasing burden of education, a very large increase in medical assistance payments due to the downturn in the economy which has caused a lot of working men and women in this state to not have employment, and basic health care is then provided. For the first time in my 19 years in the General Assembly, I personally believe we have addressed the funding of basic education throughout Pennsylvania in a manner that we should be proud and pleased with. Many of the changes in basic education are going to reduce the burden of the local property taxpayer for our most important and vital service we provide and that is education to our young people. We are also doing something that cannot be measured in the tax vote or the budget vote in that we have changed the law to reduce the school districts' contribution for retirement for their teachers. Many of the school districts, if not all of them, have incorporated into the budget we are now funding for them a much higher rate for retirement. That total is \$123 million statewide to the 501 school districts. They are going to be able to keep that money in their hands. They are going to be able to adequately fund the next year's budgets with the savings we are providing by that action alone, absent the tremendous increases in the ESBE formula. We also have,

during this budget session, faced one of the most difficult issues we have ever had to face, and that was the escalating, out-of-control costs in special education. The balance that had to be struck in that issue was one of the most difficult that I have had to deal with, along with the other Members of the General Assembly, in a lot of years because there had to be a need, there was a need, and there had to be action taken to restrict the outrageous growth caused by excess spending. The core of that whole issue was the student who absolutely cannot have interruption in his or her education. We have addressed that issue to the point that there will be a transition from one system of funding to another system and there will not even be a heartbeat missed. I believe the time involved in bringing this particular budget to today and this tax vote—which, believe me, I have just as much concern with the vote I am about to cast as any Member of this General Assembly—and my responsibilities to everybody who I represent, and then I extend that to the other 49 Senate districts, goes beyond my concern for my personal political future. Whether this is going to be damaging or not, I think only time will tell. I believe my responsibility goes beyond any of the issues that you can attribute to what you personally feel, one way or the other, about the tax in front of us. I believe we have an obligation. I believe it is a fair assessment of those necessary tax increases. I believe we have come to this conclusion after some very agonizing, long nights. I believe we have tested the waters in every way we could possibly do to come to this particular bottom line of where we are. I am going to vote with a number of other Members on both sides of the aisle to pass this particular bill today. I do that with a heavy heart because I know it is going to inflict some measure of repression on people who are going to pay those taxes, but I also know that without this very difficult task being performed, that two months or two weeks or two days from now it would be worse. We have to fund government. We have to get it back on track. We have to start things going in the right direction, and this is the first step in bringing about that step in the right direction. I would urge my colleagues who have sat through this debate and maybe are not quite sure which direction they are going to go on the vote, to give some very serious consideration to supporting this effort.

Senator ARMSTRONG. Mr. President, just a point of clarification, the gentleman from Fayette, Senator Lincoln, was referring to the waiting period of the Shapiro decision which was stricken down. That was a one-year waiting period for welfare recipients. I agree with that decision. I think one year is entirely too long. We are talking 30 days, not one year. So we are talking apples and oranges.

Senator LINCOLN. Mr. President, I think the gentleman misses the point entirely. It is not a year or 30 days that is the issue, it is the action of denying, based on residency requirements, that the Constitution is being violated by the Supreme Court's decision in 1969 in Shapiro v. Thompson. It very clearly says that it does not make any difference if it is 30 days or a year, it is unconstitutional for that kind of a test to be applied to anyone in need of that particular type of help.

The PRESIDENT. The Chair would intervene at this point and thank the gentlemen for the colloquy and remind the gentlemen that it is a bit afield from the issue of the tax vote. I would appreciate the forbearance of both speakers.

Senator SCHWARTZ. Mr. President, I rise to join my colleagues who have spoken for this tax package, and as a first term Senator it is certainly not easy to put forward a tax vote. But listening to my colleagues it is clear that it is never easy to put forward a tax vote, but I think none of us can deny the financial situation of this Commonwealth, the deficit, the hard fiscal times, the economic realities of 1991 and the human needs. I believe we cannot be irresponsible, that those who will vote against this spending plan and against this tax plan, in fact, are being irresponsible. This budget is not about excess spending. There are, in fact, mandates to be met across the state. There are human needs. We have talked about education, both basic ed, special education and higher ed. There is child welfare. There is health care. In rural counties and in the urban areas there are services for the elderly, and there are the economic needs. This budget addresses PIDA and the loans that we talked about earlier in the Session about job training, and it includes rural initiatives as well. There are also, in fact, as we are reminded every day at noon, state employees who are waiting for us to take action, and I believe we have to do so and do so today. There is our commitment as elected officials to the men, the women and the children of this Commonwealth. As it has been said before by a previous speaker, possibly we will be able to reduce some of these taxes in the years ahead. I would hope so. But it is certainly not satisfactory right now for us to say there is nothing we can do or should be doing about the rising demands for revenue in this Commonwealth. It is our responsibility as elected officials, and I as a newcomer should not have to say this to all of you, but we have been sent here to do what is necessary. I believe if we explain it, then, in fact, people will understand it. They know we do not have enough revenue to meet the needs. They know that they want services from government. They want good services. They deserve high quality services from us. The only responsible position is to support this tax package. Does each of us like every part of the tax package? Certainly not. But as I understand it, it is really the best that our negotiators could come up with. It is a reasonable sharing of taxes between business and individuals, and it is one we should agree to. I would hope, too, that we could have large numbers of us willing to stand up and not just have the minimum number of votes for this tax package. I am told that is unrealistic. But I would say that the citizens of this Commonwealth are asking us to do just that, to stand together, to finally on this day, after these many hours, to do what we should do and support this tax package and then support the spending plan that joins this. The citizens of this Commonwealth need us to do this. They expect us to do it and they want us to do it, and I think we should stand together to make sure that it happens.

Senator WILLIAMS. Mr. President, thank you for very graciously allowing me to make a few brief remarks on this very trying issue before us. There is enough blame for us to go

around and, of course, the citizens and the workers of this state are in deep demonstration about how bad things are with them in a very basic and fundamental way. As a veteran going through the profile and the anatomy of this kind of issue several times, there is not much that I can add, but I did want to say that as I drive my car the radio tells us what is going to happen and it says the Senate is going to do its thing today and at some removed predilection. I was beginning to think about how things were a few months ago and some work has been put into the result here, whatever you vote or do not vote. A lot of people have put in a lot of time, being badgered by both us and by our constituents. I do believe the representatives of this Body on both sides of the aisle did a brilliant job steering and guiding a result which some months ago seemed to be far, far, far off. So I just thought I would take this one moment, Mr. President, to say that the leadership in this Body—in my observation in watching it day-to-day and knowing how difficult this could be, I thought there would be at least three fistfights. There was only one. I thought there would be about three break loose once the matters were resolved and those things did not happen—the gentleman from Delaware, Senator Loeper, and the gentleman from Philadelphia, Senator Fumo, really deserve special attention for their skill and their statesmanship and the hard work of their staffs. Amid all the other pronouncements we are making, that is real, and as a veteran I can say that because I saw it, and I thought we ought to give some public recognition to the high abilities that are possessed by this Body. End of speech, Mr. President.

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

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

YEAS—26

Afflerbach	Jones	Mellow	Stapleton
Belan	Jubelirer	Musto	Stewart
Brightbill	Lemmond	O'Pake	Stout
Dawida	Lewis	Reibman	Tilghman
Fattah	Lincoln	Scanlon	Wenger
Fisher	Loeper	Schwartz	Williams
Fumo	Lynch		

NAYS—24

Andrezeski	Corman	Hopper	Punt
Armstrong	Greenleaf	LaValle	Rhoades
Baker	Greenwood	Madigan	Robbins
Bell	Hart	Pecora	Salvatore
Bodack	Helfrick	Peterson	Shaffer
Bortner	Holl	Porterfield	Shumaker

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR NO. 5**

REPORT OF COMMITTEE OF CONFERENCE

REPORT ADOPTED

HB 1536 (Pr. No. 2443) — The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1991, to June 30, 1992, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1991, to June 30, 1992, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1991, to June 30, 1992, for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991, and for the transfer of certain funds; and making a repeal.

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on House Bill No. 1536.

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

Senator FATTAH. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Fumo.

The PRESIDENT. Will the gentleman from Philadelphia, Senator Fumo, permit himself to be interrogated?

Senator FUMO. I will, Mr. President.

Senator FATTAH. Mr. President, on page 104 there is an appropriation for Psychiatric Services in Eastern Pennsylvania of \$6.5 million. Could the gentleman explain that appropriation?

Senator FUMO. Mr. President, that is for the Eastern Pennsylvania Psychiatric Institute, commonly known as EPPI.

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

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

YEAS—26

Afflerbach	Jones	Mellow	Stapleton
Belan	Jubelirer	Musto	Stewart
Brightbill	Lemmond	O'Pake	Stout
Dawida	Lewis	Reibman	Tilghman
Fattah	Lincoln	Scanlon	Wenger
Fisher	Loeper	Schwartz	Williams
Fumo	Lynch		

NAYS—24

Andrezski	Corman	Hopper	Punt
Armstrong	Greenleaf	LaValle	Rhoades
Baker	Greenwood	Madigan	Robbins
Bell	Hart	Pecora	Salvatore
Bodack	Helfrick	Peterson	Shaffer
Bortner	Holl	Porterfield	Shumaker

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR NO. 10**

**BILL ON CONCURRENCE
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1059 (Pr. No. 1504) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," providing an amnesty program for the payment of delinquent taxes; providing for the examination of books and records by the Department of Revenue; further providing for certain interest payments and the rates of interest, for the settlement of taxes and for the filing of liens and writs of revival; providing certain subpoena powers to the Department of Revenue; providing for unfair sales of cigarettes; and making a repeal.

Senator LOEPER. Mr. President, I move the Senate do concur in the amendments made by the House to Senate Bill No. 1059.

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

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

YEAS—49

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

NAYS—1

Pecora

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

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

HOUSE MESSAGE

**HOUSE ADOPTS REPORT OF COMMITTEE
OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House has adopted Report of Committee of Conference on **SB 405**.

BILLS SIGNED

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

SB 405 and 1059.

ADJOURNMENT

Senator LOEPER. Mr. President, for the information of the Members, at this time we still have some further issues to deal with. However, what I am going to do is suggest that we adjourn Saturday's Session and move into Sunday's Session. At this time, Mr. President, I would move that the Senate do now adjourn until Sunday, August 4, 1991, at 4:25 p.m..

The PRESIDENT. Senator Loeper has moved that the Senate do now adjourn until Sunday, August 4, 1991, at 4:25 p.m. Without objection, the motion is carried and the Senate stands adjourned.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.