

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 10, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 39

SENATE

TUESDAY, June 10, 1986.

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

The PRESIDENT (Lieutenant Governor William W. Scranton III) in the Chair.

PRAYER

The Chaplain, the Reverend Mr. JOHN W. GAREIS, Pastor of Jerusalem United Church of Christ, Rimersburg, offered the following prayer:

Let us pray.

Almighty God, Creator and Father, again we pause amidst life's busyness to remember You and to give You thanks. We thank You for the joy of life itself, for Your presence with us and for the many blessings of Your grace. We thank You, O God, for the bounty of this land, for the beauty of Pennsylvania and for the civil and religious liberties which we enjoy.

O God, indeed You have called us to be people of justice, of kindness, people who walk humbly with You. We ask that You would, indeed, grant these virtues that they might become a part of our character and of our lives. We ask Your blessing upon these Senators as we ask Your blessing upon all state and national leaders. Guide and govern them as they guide and govern us. May they be of one mind in their concern for the public good and their promotion of the personhood of all Your children. Give them true judgment, courage and perseverance to do what is right in Your sight.

Finally, we ask that You would keep us ever mindful of Your love, Your love by which our lives are strengthened and renewed, that we might praise You with lives of joy and service. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 9, 1986.

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

June 10, 1986.

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 Eugene W. Charles, 1311 Meadowcreek Lane, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of that period, vice S. June Shreibman, Philadelphia, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

June 10, 1986.

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 Louis A. Orlando, 2207 Wilmington Road, New Castle 16105, Lawrence County, Twenty-first Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond the expiration of that period, vice Ralph R. Chase, Sr., Old Forge, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF PHARMACY

June 10, 1986.

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 Orlean C. Ricco (Public Member), 255 Dinwiddie Street, Pittsburgh 15219, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State Board of Pharmacy, to serve for a term of six years or until her successor has been appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

June 10, 1986

HB 2417 — Committee on Consumer Protection and Professional Licensure.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Weekly Adjournment.

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Appropriations to meet off the floor during today's Session to consider House Bill No. 384 and House Bill No. 385.

REPORTS FROM COMMITTEES

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 1470 (Pr. No. 2209) (Amended)

An Act requiring retail gasoline dealers to post gasoline additive information; and imposing penalties.

SB 1514 (Pr. No. 2210) (Amended)

An Act repealing section 3 of the act of December 21, 1984 (P. L. 1270, No. 241), entitled "An act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further defining the term 'public utility';....," repealing sunset provisions relating to mobile domestic cellular radio telecommunications services.

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

HB 430 (Pr. No. 484)

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

HB 1160 (Pr. No. 3492)

An Act amending Title 42 (Judiciary and Judicial Procedure) for the disposition of dependent children.

HB 2093 (Pr. No. 2860)

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), known as "The Marriage Law," further providing for marriage license applications.

APPROVAL OF REGULATIONS

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following regulations have been approved for submission to the Independent Regulatory Review Commission:

State Board of Podiatry 16A-143;
State Board of Dentistry 16A-141;
PUC #L-860016 with recommendations;
PUC #L-850007; and
PUC #L-840097.

DISAPPROVAL OF REGULATION

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following regulation has been recommended for disapproval by the Independent Regulatory Review Commission:

State Board of Dentistry 16A-138.

RESOLUTION REPORTED FROM COMMITTEE

Senator STAUFFER, from the Committee on Rules and Executive Nominations, reported the following resolution:

SR 176 (Pr. No. 2185)

A Resolution proclaiming Sunday, October 5, 1986, as "Pennsylvania Stepparents Day."

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

GENERAL COMMUNICATIONS

DISCHARGE PETITIONS

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Frank Goodyear as a member of the Council on the Arts.

TO: The Presiding Officer of the Senate

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

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Daris A. Dixon as a member of the Council of Trustees of Cheyney University.

TO: The Presiding Officer of the Senate

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

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Dwayne Cooper as a member of the Health Care Policy Board.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Dwayne Cooper, Industry, Pennsylvania, as a member of the Health Care Policy Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Theodore Robb as a member of the Council of Trustees of Lincoln University.

TO: The Presiding Officer of the Senate

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

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

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

TO: The Presiding Officer of the Senate

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

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Rodney E. Steffy, Sr., as a member of the Municipal Police Officers' Education and Training Commission.

TO: The Presiding Officer of the Senate

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

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Caroline C. Ace, L.P.N., as a member of the State Board of Nursing.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Caroline C. Ace, L.P.N., Lake Winola, Pennsylvania, as a member of the State Board of Nursing, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Ruby L. Bollinger as a member of the State Board of Nursing.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Ruby L. Bollinger, Manheim, Pennsylvania, as a member of the State Board of Nursing, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of H. Jean Bruhn, L.P.N., as a member of the State Board of Nursing.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of H. Jean Bruhn, L.P.N., Lancaster, Pennsylvania, as a member of the State Board of Nursing, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Theresa Durn as a member of the State Board of Physical Therapy.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Theresa Durn, Allentown, Pennsylvania, as a member of the State Board of Physical Therapy, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Susan E. Morey as a member of the State Board of Physical Therapy.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Susan E. Morey, Mohnton, Pennsylvania, as a member of the State Board of Physical Therapy, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of Charles J. Lieberth as a member of the State Employees' Retirement Board.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Charles J. Lieberth, Pittsburgh, Pennsylvania, as a member of the State Employees' Retirement Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Edward P. Zemprelli
J. William Lincoln
Robert J. Mellow
James E. Ross
Francis J. Lynch

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

In the Senate, June 10, 1986.

A PETITION

To place before the Senate the nomination of David Cherundolo, Esq., as a Lackawanna County District Justice.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of David Cherundolo, Esq., Old Forge, Pennsylvania, as a Lackawanna County District Justice, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

- Edward P. Zemprelli
- J. William Lincoln
- Robert J. Mellow
- James E. Ross
- Francis J. Lynch

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

LEGISLATIVE LEAVE

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

The PRESIDENT. Are there any objections to a Capitol leave for Senator Shaffer? The Chair hears none. That leave is granted.

LEAVE OF ABSENCE

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

CALENDAR

SB 1532 CALLED UP OUT OF ORDER

SB 1532 (Pr. No. 2159) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1532 (Pr. No. 2159) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 11, 1967 (P. L. 205, No. 69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending its effectiveness.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

- | | | | |
|------------|-----------|----------|-----------|
| Andrezeski | Holl | Madigan | Salvatore |
| Armstrong | Hopper | Mellow | Scanlon |
| Bell | Howard | Moore | Shaffer |
| Bodack | Jones | Musto | Shumaker |
| Brightbill | Jubelirer | O'Pake | Singel |
| Corman | Kelley | Pecora | Stapleton |
| Early | Kratzer | Peterson | Stauffer |

- | | | | |
|-----------|---------|-----------|-----------|
| Fisher | Lemmond | Reibman | Tilghman |
| Fumo | Lewis | Rhoades | Wenger |
| Greenleaf | Lincoln | Rocks | Williams |
| Hankins | Loeper | Romanelli | Wilt |
| Helfrick | Lynch | Ross | Zemprelli |
| Hess | | | |

NAYS—0

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

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

GUESTS OF SENATOR D. MICHAEL FISHER PRESENTED TO SENATE

Senator FISHER. Mr. President, I have a special opportunity today to introduce to the Senate forty-five residents and friends from my Senatorial district, all of whom are members of the Gold Card Club of Bethel Park. They are here in Harrisburg today. They had an opportunity to tour the Governor's Mansion and they are going to have a trip around the State Capitol and they will be seeing other places in Harrisburg during the course of the day. I would ask the Senate to give a warm welcome to the members of the Bethel Park Gold Card Club, and I would like to have the names of the group incorporated into the record. My guests, who are members of the Bethel Park Gold Card Club, are Flo DiPalma, John Cinquegrane, Jake Simon, Art and Emma Conn, Stella Davis, Malone Rupert, Charles and Anne Shoaf, Agnes Hensler, Hazel Rumbaugh, Al and Alma Schumacher, Harmon and Mary Jones, Grace and Harry Martin, Lou and Marilyn Lorincy, M. Kaylor, R. Georg, Kay and Mike Klavonic, Ethel Gochenour, Louise Cummins, Frank and Dot Vajda, Helen Rodgers, Bea Hicks, Roy and Virginia Burford, A. Thorhaver, Edna Towle, Joe McCoy, Helen Doven, Stefanie Slabe, Floyd and Ethel Miller, Frank and Helen Stewart, Cy and Laverne Eichenlaub, Kay and Tony Zaverl and Sally and Ralph Duvall.

Senator ZEMPRELLI. Mr. President, prior to giving the members of the Gold Card Club our customary warm welcome, I am very proud to say that my sister-in-law, Mrs. Helen Rodgers, is one of the members of that group. I was surprised to learn that the gentleman from Allegheny, Senator Fisher, had found her among his friends in that group out in Bethel Park and at the same time I view that with some mixed emotion. However, she is a lovely person, and I am going to clap a little louder just because of her.

The PRESIDENT. Despite this revelation, will our guests from Bethel Park please rise so the Senate may give you its traditional warm welcome.

(Applause.)

GUESTS OF SENATOR ROBERT J. MELLOW PRESENTED TO SENATE

Senator MELLOW. Mr. President, I also have a very distinguished honor today to have with me in the Senate three

women who are very close to my family, one of my employees from the City of Scranton and my wife. I would like to introduce to you, Mr. President, Mrs. Julie Ceconi; Johanna Panettieri; her daughter, Paula Leri; one of the gentlemen who does an outstanding job for me in my home office, Mike Kushner; but most especially the speaker of our house, my wife Diane.

The PRESIDENT. Would Senator Mellow's guests please rise so we may give you our warmest welcome.

(Applause.)

GUESTS OF SENATOR GUY M. KRATZER PRESENTED TO SENATE

Senator KRATZER. Mr. President, I am privileged to introduce to the Senate of Pennsylvania some of my constituents here this afternoon. Not to be outdone by the Gold Card Club of Allegheny County, with all due respect, we have a contingent of a bridge club here from good old Lehigh County whose celebrated contingents are Emily Fuhwirth, Elma Hartman, Arlene Koch, Mrs. Jean E. Luhatch, Pat Miller, Eva Stephens, Marie Vass and Lois Reitz of my district office staff. They are one of our celebrated bridge clubs in Lehigh County and I would welcome them to the Senate.

The PRESIDENT. Would our guests from Lehigh County please rise so we may give you a Senatorial warm welcome.

(Applause.)

GUESTS OF SENATOR JAMES E. ROSS PRESENTED TO SENATE

Senator ROSS. Mr. President, at this time I would like to introduce and receive the usual warm welcome of my colleagues for the Girl Scout Cadet Troop 253 of New Brighton, in Beaver County with their Troop Leader, Ruth Scialabba, and all of her chaperones.

The PRESIDENT. I saw the Girl Scouts up there. I was wondering when they were going to be introduced.

Would the Girl Scouts please rise so the Senate may give you its warmest welcome.

(Applause.)

GUESTS OF SENATOR FRANK A. SALVATORE PRESENTED TO SENATE

Senator SALVATORE. Mr. President, I have the pleasure today to have in the gallery the mother and father of my Administrative Assistant, Mr. and Mrs. James Brady, and his sister-in-law, Marci Brady. I wish that we would extend to them a warm welcome.

The PRESIDENT. Would the Bradys please rise for a warm Senatorial welcome.

(Applause.)

The PRESIDENT. If there is anyone in the gallery who has not been introduced, please rise and we would love to welcome you, too.

(Applause.)

RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate for the purpose of a Republican caucus to convene at 1:45 p.m. in the Majority caucus room.

Senator LINCOLN. Mr. President, I would ask that the Members of the Democratic caucus report immediately to the caucus room for our caucus.

The PRESIDENT. For the purpose of Republican and Democratic caucuses, the Chair declares the Senate in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE

Senator STAUFFER. Mr. President, I would ask for a temporary Capitol leave for Senator Madigan.

The PRESIDENT pro tempore. Senator Stauffer has requested a temporary Capitol leave for Senator Madigan. The Chair hears no objection. The leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

SB 1477 CALLED UP OUT OF ORDER

SB 1477 (Pr. No. 2016) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1477 (Pr. No. 2016) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicular hazard signal lamps.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

LEGISLATIVE LEAVE

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Fumo who is in his office.

The PRESIDENT pro tempore. Senator Mellow has requested a temporary Capitol leave for Senator Fumo. The Chair hears no objection. The leave is 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—49

Andrezeski	Holl	Madigan	Salvatore
Armstrong	Hopper	Mellow	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stauffer
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	Zemprelli
Hess			

NAYS—0

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

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

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, Senator Armstrong has been called from the floor and I would request a temporary Capitol leave on his behalf.

The PRESIDENT pro tempore. Senator Loeper requests a temporary Capitol leave for Senator Armstrong. The Chair hears no objection. The leave will be granted.

Senator ZEMPRELLI. Mr. President, I would ask for a temporary Capitol leave on behalf of Senator Andrezeski.

The PRESIDENT pro tempore. Senator Zemprelli has asked for a temporary Capitol leave for Senator Andrezeski. The Chair hears no objection. The leave is granted.

CONSIDERATION OF CALENDAR RESUMED

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE AMENDS HOUSE AMENDMENTS

SB 180 (Pr. No. 2137) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," adding and changing definitions relating to crime victims' compensation; further providing for eligibility for crime victims' compensation and for awards; providing for the responsibilities of providers of service to crime victims; further providing for the allocation of certain funds; extending the limitations period for the filing of claims for crimes' victims compensation by child victims; authorizing certain employee organizations to file copies of their constitutions and bylaws with the Secretary of Labor and Industry; imposing penalties for failing to file certain information; providing for agency shop agreements; and making repeals.

Senator STAUFFER. Mr. President, I move that Senate Rule XV be suspended in order to offer amendments to House amendments to Senate Bill No. 180.

The PRESIDENT pro tempore. Senator Stauffer moves that Senate Rule XV be suspended in order to offer amendments to House amendments.

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

PARLIAMENTARY INQUIRY

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

The PRESIDENT pro tempore. The gentleman from Westmoreland, Senator Kelley, will state it.

Senator KELLEY. Mr. President, assuming that the Rule is suspended and an amendment is offered, are successive amendments in order after that particular amendment would be considered? Is it true, if the bill would go over in order, that on the next successive day the first order of business of consideration of amendments would be relevant?

The PRESIDENT pro tempore. Senator Kelley, the ruling would be that if the amendment were offered today, you would only need to suspend the Rules once, but if the bill went over in its order, the Rules would need to be suspended again in order to offer an amendment on a successive day.

Senator KELLEY. Mr. President, if the bill is laid on the table after consideration and was pulled off the table, then successive amendments would be in order. Is that correct, Mr. President?

Senator STAUFFER. Mr. President, if I may, if the gentleman would yield, I believe I can be very helpful to him.

The PRESIDENT pro tempore. Senator Kelley relinquishes his time on the floor.

Senator STAUFFER. Mr. President, I recognize the nature and purpose of the gentleman's question, and I would assure him that as far as this side of the aisle is concerned, there would be no problem in supporting a motion to suspend on a following day in order that an additional amendment might be offered, recognizing that there is an amendment in preparation that is not quite ready.

Senator KELLEY. I thank the gentleman, Mr. President. I withdraw my point of inquiry.

LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, prior to the roll call, I would request a temporary Capitol leave on behalf of Senator O'Pake.

The PRESIDENT pro tempore. Senator Zemprelli has requested a temporary Capitol leave for Senator O'Pake. The Chair hears no objection. The leave is granted.

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

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

YEAS—29

Armstrong	Holl	Lewis	Salvatore
Bell	Hopper	Loeper	Shaffer
Brightbill	Howard	Madigan	Shumaker
Corman	Jubelirer	Moore	Stauffer
Fisher	Kelley	Peterson	Tilghman
Greenleaf	Kratzer	Reibman	Wenger
Helfrick	Lemmond	Rhoades	Wilt
Hess			

NAYS—20

Andrezeski	Jones	O'Pake	Scanlon
Bodack	Lincoln	Pecora	Singel
Early	Lynch	Rocks	Stapleton
Fumo	Mellow	Romanelli	Williams
Hankins	Musto	Ross	Zemprelli

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

The PRESIDENT pro tempore. Senate Rule XV is suspended for the purpose of offering an amendment.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Fumo and Senator Shaffer. Their temporary Capitol leaves will be cancelled.

Senator STAUFFER, by unanimous consent, offered the following Senate amendments to House amendments:

Amend Bill, page 14, by inserting between lines 19 and 20:

Section 11. (a) Except as provided in subsection (b), the provisions of this act are severable. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application.

(b) Notwithstanding subsection (a) and 1 Pa.C.S. § 1925 (relating to constitutional construction of statutes), the provisions of sections 408.2 and 2215 jointly are made expressly non-severable.

Amend Sec. 11, page 14, line 20, by striking out "11" and inserting: 12

On the question,

Will the Senate agree to Senate amendments to House amendments?

They were agreed to.

The PRESIDENT pro tempore. Senate Bill No. 180 will go over in its order, as amended.

BILL OVER IN ORDER

SB 408 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

FINAL PASSAGE CALENDAR

PREFERRED APPROPRIATION BILL
OVER IN ORDER AND RECOMMITTED

SB 1181 (Pr. No. 2131) — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating \$10,000 to the Department of Military Affairs to provide on-board equipment for the U.S.S. Pittsburgh.

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

Pursuant to Senate Rule XI, the bill was recommitted to the Committee on Appropriations.

NONPREFERRED APPROPRIATION BILL
OVER IN ORDER

SB 1338 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

THIRD CONSIDERATION CALENDAR
PREFERRED APPROPRIATION BILL
OVER IN ORDER AND RECOMMITTED

SB 1179 (Pr. No. 2130) — The Senate proceeded to consideration of the bill, entitled:

An Act appropriating \$10,000 to the Department of Military Affairs to provide certain on-board equipment for the U.S.S. Philadelphia.

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

Pursuant to Senate Rule XI, the bill was recommitted to the Committee on Appropriations.

PREFERRED APPROPRIATION BILL
LAID ON THE TABLE

SB 1418 (Pr. No. 1929) — The Senate proceeded to consideration of the bill, entitled:

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Armstrong. His temporary Capitol leave will be cancelled.

THIRD CONSIDERATION CALENDAR RESUMED
BILLS RECOMMITTED

HB 384 (Pr. No. 2429) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 3, 1984 (P. L. 583, No. 117), entitled "An act providing for the capital budget for the fiscal year 1984-1985," itemizing public highway projects to be constructed by the Department of Transportation, together with the estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of Transportation; stating the estimated useful life of the projects; making appropriations; and making a repeal.

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

HB 385 (Pr. No. 2430) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 8, 1982 (P. L. 848, No. 235), known as the "Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983," deleting a bridge project in Allegheny County; adding bridge projects in various counties; and providing for reimbursement to municipalities.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 703 (Pr. No. 2205) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction of the Philadelphia Court of Common Pleas and the Philadelphia Municipal Court in certain matters relating to minors; and providing for increased sentences for dangerous special offenders.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—49

Andrezeski	Holl	Madigan	Salvatore
Armstrong	Hopper	Mellow	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stauffer
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	Zemprelli
Hess			

NAYS—0

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

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

BILL OVER IN ORDER TEMPORARILY

SB 780 — Without objection, the bill was passed over in its order temporarily at the request of Senator STAUFFER.

BILLS OVER IN ORDER

SB 1110, 1460, 1461, 1462 and 1463 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON THIRD CONSIDERATION AMENDED

SB 1464 (Pr. No. 2003) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1984 (P. L. 555, No. 111), entitled "Small Business Incubators Act," further providing for grants, loans and loan guarantees; and removing provisions relating to guidelines and regulations.

Considered the third time,

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

Senator SHAFFER, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 1, line 12, by inserting after "amended": and a definition is added

Amend Sec. 1 (Sec. 2), page 2, by inserting between lines 2 and 3:

"Anchor tenant." A tenant other than a retailer, provided that the tenant has an incubator lease of more than two years.

Amend Sec. 1 (Sec. 5), page 5, line 14, by striking out "No more than" and inserting: Up to

Amend Sec. 1 (Sec. 5), page 5, line 15, by striking out "a" and inserting: an anchor

Amend Sec. 1 (Sec. 5), page 5, line 16, by removing the comma after "requirements" and inserting a period

Amend Sec. 1 (Sec. 5), page 5, lines 16 and 17, by striking out "other than a retail firm," in line 16 and all of line 17

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

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

Senator LOEPER, by unanimous consent, offered the following amendment:

Amend Bill, page 5, by inserting between lines 20 and 21:

Section 3. The provisions of this amendatory act shall be retroactive to April 1, 1986, and shall apply to all applications filed on or after April 1, 1986.

Amend Sec. 3, page 5, line 21, by striking out "3" and inserting: 4

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

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

BILLS OVER IN ORDER

SB 1465, 1466, 1467 and 1468 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1505 (Pr. No. 2085) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the admissibility of certain out-of-court statements.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator ZEMPRELLI. Mr. President, I have some very serious reservations as to Senate Bill No. 1505 and what it

would do on passage. I would call specific attention to the language of the bill, particularly on page one where it speaks to the admissibility of certain statements.

First of all, this legislation is designed to avoid the hard rule of evidence that requires a witness to appear in a courtroom where he might be judged by his peers in a jury case or before a trial judge if it is a nonjury case. In this situation, we are abrogating that strict rule of confrontation simply because it is a child, but the bill itself would do a great deal more than that. I think you need to pay attention to the specific language which starts on line 9. It says: "General rule.—An out-of-court statement made by a child victim or witness, who at the time the statement was made was under 12 years of age, describing..." certain events, deviate sexual intercourse, sexual intercourse, et cetera, "...not otherwise admissible by statute or rule of evidence, is admissible in evidence in any criminal proceeding..." And then goes on to support some rather insignificant standards.

The first one is, "The court finds, in an in camera hearing, that the evidence is necessary..." Necessary for what? Necessary for conviction? "...and that the time, content and circumstances of the statement provide sufficient indicia of reliability."

I repeat, necessary for what? Necessary to convict the party who is being accused? Have we come to a point in our system of American jurisprudence, particularly in dealing with criminal acts, that we are prepared to set aside the rules of evidence and to suggest that a child twelve years or under, regardless of when that statement is made, is allowed as evidence in the proceeding to convict persons of a crime when, in fact, all of us know that it is just simply a child of twelve years or under is as disposed to say the truth at one time or at another time and the fact that the statement was made at the time does not, in fact, make the statement any more reliable? It may be a statement that is made under apprehension, it may be a statement that is made to protect, because that is what we might expect of juveniles.

Mr. President, I hesitate to speak out on these issues because the mode of the public is that we should do certain things because there is or seems to be a number of these kinds of events happening and because of that we are prepared to throw the baby out with the bath water by saying, okay, the rules of evidence prevail upon confrontation by a witness who can be judged as to his credibility in every instance except the child under twelve years of age. If a statement was made at the time of the incident, he would not even have to appear in the courthouse or under any other set of circumstances if the judge felt it was necessary. I repeat, necessary for what? For conviction? Or necessary for innocence?

Mr. President, I think this is just a horrible piece of legislation. I think it is a travesty upon our system of justice and I can conceive of all kinds of circumstances where people are going to be found guilty who, perhaps, were not guilty. I would ask for a negative vote on this issue for two reasons: one, what the concept is, and, secondly, that the bill is not explicit enough to describe what "necessary" means. What is

the judgment that a judge is going to make when he determines that evidence is necessary from a twelve-year-old or under who has either been the victim or a witness to a circumstance? I repeat because it is worth repeating, is the quality of that evidence better because it was made out of court? Is it not conceivable that a child of twelve years or under would want to say something in order to protect somebody or himself or because of the embarrassment at a time prior to a court trial? Then are we going to say that evidence becomes admissible without confrontation? I think it is a very serious abrogation of what has long been regarded as our system of basic legal justice.

Senator GREENLEAF. Mr. President, I rise in favor of the legislation. First of all, I believe at last count there are eleven or twelve states which have adopted this rule of evidence, and, basically, it is a rule of evidence. Secondly, we are dealing with hearsay and, as the gentleman knows, hearsay is admissible in court under numerous circumstances. In fact, the rule of exclusion of hearsay is broken more than it is abided by. This proposed act follows the procedures to ensure that there are certain factors of reliability and incorporates the requirements of *Ohio v. Roberts*, which is the United States Supreme Court decision of 1980 which laid down certain criteria to determine when a witness is not available and when certain statements would be admissible. That is, that the witness is unavailable and the prosecution made a good faith effort to obtain the presence of the witness and that other indicia of reliability was there such as the physical evidence, some corroborating testimony, the circumstances surrounding the statement are very similar, too. This provision is very similar to the excited utterance exception to the hearsay rule which allows certain statements to be offered into evidence at the time or close to the time when an incident occurs when there is certain indicia of reliability that is found, all of which is up to the trial judge to decide whether those factors are present or not. If he finds they are not and if there are unreliable factors, then he will not admit that evidence. If he finds they are there, he can and he will and has the option to allow the statement into evidence.

In addition, Mr. President, this provision was incorporated and was part of Senate Bill No. 1361 of last Session and this Body adopted that bill which contained this provision among many other provisions in November 1984, so it has passed this Body on a previous occasion.

Lastly, but most importantly, the Senate Committee on Judiciary held hearings on child abuse and child sexual abuse all over this state, and we found in many counties the reporting of and the incidence of child sexual abuse have been going up, in some cases as much as 100 percent. We are dealing with an epidemic and we have not dealt with and taken into consideration how we treat children in a courtroom. We heard from judges and prosecutors all over the Commonwealth. We held hearings in Philadelphia, Pittsburgh, Butler, Erie and Reading, and not only is it epidemic in Pennsylvania and in other parts of the nation, but we also found this kind of a prosecution has notoriously poor results, the reason being

when we are dealing with a five-year-old and a six-year-old, that child will tell the story maybe once or twice under certain stressful circumstances and then never open their mouths again because they do not want to talk about it. They will not talk about it even in spite of the fact there may be some corroborating evidence or even in spite of the fact this person has engaged in this type of activity. We also found that those people who do engage in this activity, namely those people who are suffering from what is defined as being pedophiles, are people who will molest as many as seventy-two children in their lifetime, and if we do not do something to start to help the prosecutors in our courtrooms to convict these people under appropriate circumstances, that vicious cycle will continue and continue on until many other children will be molested in the future.

I think this is a modest step. What it does is really balance the scales between those children who are forced into an adult courtroom situation facing a defendant, the skilled defense counsel and the other coercive factors that are present in a courtroom. We are just helping that prosecution a little bit by allowing under certain circumstances where those statements that were given by the child are determined to be reliable and accurate, they can be introduced and used in a courtroom, for whatever purpose, for the jury to determine what probative value they should have and what credibility they should have and it is merely a step to try to help a child who is in a courtroom to balance those scales. If we allow this, I think we will go a long way to help in dealing with this problem to have successful prosecutions where people who are involved in this type of activity choose the five-year-old and the six-year-old because they know the chances of their testifying in a courtroom and the evidence and the statements they may give in the courtroom at a later time will not be admissible and that they will not end up testifying because of their tenderness of years.

I would urge this Body to take this very modest step to allow these statements into the courtroom under very prescribed circumstances to be determined by a judge.

Senator KELLEY. Mr. President, as I understand the reasons given by the primary sponsor, the gentleman from Montgomery, we can succeed in getting more successful convictions by liberalizing our rules of evidence. I do not know that is an appropriate standard in a country whose jurisprudence, particularly on the criminal side, has been one to be the sacred safeguard of the individual who is accused of the crime.

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

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

Senator GREENLEAF. I will, Mr. President.

Senator KELLEY. Mr. President, the gentleman started off his initial defense or assertion for the affirmative vote on Senate Bill No. 1505 by saying that it is a question of hearsay. I wonder if the gentleman could distinguish how he intends by the explanation he gave to cover victims and witnesses? It

seems to me there is an entirely different standard here. Am I ignorant of the process today? If a child is a victim, does not that child of any age have to come into open court before a jury or as provided with some of the other laws we passed with a video, but at least the jury is going to have a vision of and a confrontation or cross-examination participation possibly? How in the world can a victim be excused from coming in and bring charges against a person?

Senator GREENLEAF. Mr. President, first of all, the bill does provide for the appearance of the child and if the child is not available, then there would be corroborating evidence that would have to be presented. I do not think we are in a situation where there is any magic as to whether the child is there or not. If a child is not there, that is a two-edged sword and that really makes the prosecution's case much weaker by not having a live witness present, and the jury will be given the opportunity to evaluate that and determine the reasons for that child's nonpresence. If that child is twelve, I think it is going to have a more detrimental effect upon the prosecution. If that child is three or four or five, I think the jury can take that into consideration as well.

Senator KELLEY. It seems to me, Mr. President, we are not talking about hearsay. It is a question of a prior inconsistent statement which is, therefore, only relevant whenever there is something with which to be inconsistent, and I cannot comprehend how we can get the purported inconsistent statement in without first getting in the consistent statement.

The PRESIDENT pro tempore. I think that is a question, Senator Greenleaf.

Senator GREENLEAF. If it is a question, Mr. President, I will try to respond to it. I would say that if there are statements or evidence available to the defense, obviously, under the pretrial discovery rules that have been followed now and adopted in Pennsylvania recently—well, maybe now not so recently—where the defense has the option and access to the Commonwealth's file, that if there are inconsistent statements, they would have that available to them and that would be available for admission subject to review of the court again in deciding its admissibility at that point. So I think the jury would have all of the evidence in front of it.

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

With some degree of reluctance, I tend to agree to the objectives that we want to, within the spirit of our system, have all the safeguards given to the accused, the actor, as well as the victims in any proceeding, but I believe the explanation given by the gentleman from Montgomery is insufficient, at least to persuade me and, likewise, the gentleman from Allegheny certainly has raised sufficient question. I, too, would urge a negative vote.

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I would request temporary Capitol leaves for Senator Moore and Senator Peterson.

The PRESIDENT pro tempore. Senator Stauffer has requested temporary Capitol leaves for Senator Moore and Senator Peterson. The Chair hears no objection. The leaves are granted.

Senator ZEMPRELLI. Mr. President, I would request temporary Capitol leaves for Senator Musto, Senator Fumo and Senator Lewis.

The PRESIDENT pro tempore. Senator Zemprelli has requested temporary Capitol leaves for Senator Fumo, Senator Musto and Senator Lewis. The Chair hears no objection. The leaves are granted.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Madigan and his leave will be cancelled.

And the question recurring,
Shall the bill pass finally?

Senator ZEMPRELLI. Mr. President, it is interesting to note that the only time that this evidence is admissible by a child victim or witness is when that evidence would describe an indecent conduct, sexual intercourse or deviate sexual intercourse. It would not allow that statement to be introduced if that child was going to describe something that was less than that, and I question the constitutionality of it. What you have is a situation where there might be two children under twelve years of age, one of whom saw it as not being sexually deviate, not being intercourse, or whatever, and another seeing it as such. The testimony of the child under twelve years of age which would describe it as an incident of indecency, that evidence would be admitted. The child that saw it otherwise, viewing the same incident, that evidence would not be admitted. I do not understand how there can be a consistency that would allow for the constitutionality of that. But consider again that we seem to be focusing in on convictions. But is it not also conceivable that the witness might be the victim or the person who has perpetrated it, rather, because the statement would have been made to him so, therefore, the statement that is made by any person would be qualified even though it would be a statement made by a person under twelve years of age to anybody else. That statement would be admissible by virtue of the avoidance of the strict rules of evidence. It is not a one-sided sword, it is a two-sided sword.

Again, Mr. President, I call attention to the seriousness of this kind of thing, particularly when we are dealing with criminal justice, and I ask for a negative vote.

MOTION TO RECOMMIT

Senator ZEMPRELLI. Mr. President, I move to recommit the bill to the Committee on Judiciary.

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

Senator STAUFFER. Mr. President, I recognize that the motion is not debatable. I would ask for a negative vote on the motion to recommit.

Senator ZEMPRELLI. Mr. President, I would ask for a roll call vote.

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

(During the calling of the roll, the following occurred:)
Senator SHUMAKER. Mr. President, I would like to change my vote from "aye" to "no."

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—20

Andrezeski	Kelley	Musto	Scanlon
Bodack	Lewis	O'Pake	Singel
Fumo	Lincoln	Rocks	Stapleton
Hankins	Lynch	Romanelli	Williams
Jones	Mellow	Ross	Zemprelli

NAYS—29

Armstrong	Hess	Loeper	Salvatore
Bell	Holl	Madigan	Shaffer
Brightbill	Hopper	Moore	Shumaker
Corman	Howard	Pecora	Stauffer
Early	Jubelirer	Peterson	Tilghman
Fisher	Kratzer	Reibman	Wenger
Greenleaf	Lemmond	Rhoades	Wilt
Helfrick			

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

And the question recurring,
Shall the bill pass finally?

(During the calling of the roll, the following occurred:)
Senator MELLOW. Mr. President, I would like to change my vote from "no" to "aye."

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

Senator LINCOLN. Mr. President, I would like to change the vote of Senator Andrezeski from "no" to "aye."

The PRESIDENT pro tempore. The gentleman will be so recorded.

Senator LINCOLN. Mr. President, I would like to change the vote of Senator Musto from "no" to "aye."

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—43

Andrezeski	Hess	Lynch	Ross
Armstrong	Holl	Madigan	Salvatore
Bell	Hopper	Mellow	Shaffer
Bodack	Howard	Moore	Shumaker
Brightbill	Jones	Musto	Singel
Corman	Jubelirer	O'Pake	Stapleton
Early	Kratzer	Pecora	Stauffer
Fisher	Lemmond	Peterson	Tilghman
Greenleaf	Lewis	Reibman	Wenger
Hankins	Lincoln	Rhoades	Wilt
Helfrick	Loeper	Rocks	

NAYS—6

Fumo	Romanelli	Williams	Zemprelli
Kelley	Scanlon		

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

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

LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, before moving on with the Calendar, I would ask for a temporary Capitol leave for Senator Pecora.

The PRESIDENT pro tempore. Senator Stauffer requests a temporary Capitol leave for Senator Pecora. There is no objection. The leave will be granted.

Senator LINCOLN. Mr. President, I request temporary Capitol leaves for Senator Jones and Senator Zemprelli.

The PRESIDENT pro tempore. Senator Lincoln has requested temporary Capitol leaves for Senator Jones and Senator Zemprelli. The Chair hears no objection. The leaves are granted.

LEGISLATIVE LEAVE CANCELLED

Senator STAUFFER. Mr. President, I would ask the Chair to note the return to the floor of Senator Moore.

The PRESIDENT pro tempore. Senator Moore has returned to the floor. His temporary Capitol leave will be cancelled.

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

HB 1812 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

RECESS

Senator STAUFFER. Mr. President, at this time I would ask for a very brief recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules Committee room. I would ask the Members to remain in their seats because it will be a very, very brief meeting.

The PRESIDENT pro tempore. Senator Stauffer has requested a brief recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the

Rules Committee room at the rear of the Senate Chamber. Will all Members of the Committee on Appropriations please report to that meeting room immediately. For that purpose, the Senate will stand in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

SB 780 CALLED UP

SB 780 (Pr. No. 2207) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator STAUFFER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 780 (Pr. No. 2207) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 24, 1945 (P. L. 991, No. 385), entitled "Urban Redevelopment Law," further providing for the acquisition of blighted property by redevelopment authorities for certain uses related to the classification of the political subdivision.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—49

Andrezeski	Holl	Madigan	Salvatore
Armstrong	Hopper	Mellow	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stauffer
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	Zemprelli
Hess			

NAYS—0

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

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

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 349, SB 1298, 1485 and 1519 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILL ON SECOND CONSIDERATION

SB 1523 (Pr. No. 2186) — The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 1557, 1875 and 2079 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

**REORGANIZATION PLAN NO. 1,
RESOLUTION A, CALLED UP**

Senator STAUFFER, without objection, called up from page 7 of the Calendar, Reorganization Plan No. 1, Resolution A, entitled:

Resolved, That Reorganization Plan No. 1 of 1986 transmitted to the General Assembly under date of June 2, 1986 which is incorporated herein by reference be approved.

On the question,
Will the Senate adopt the resolution?

**REORGANIZATION PLAN NO. 1,
RESOLUTION A, ADOPTED**

Senator STAUFFER. Mr. President, I move the Senate do adopt Reorganization Plan No. 1, Resolution A.

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

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

YEAS—49

Andrezeski	Holl	Madigan	Salvatore
Armstrong	Hopper	Mellow	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jones	Musto	Shumaker
Brightbill	Jubelirer	O'Pake	Singel
Corman	Kelley	Pecora	Stapleton
Early	Kratzer	Peterson	Stauffer
Fisher	Lemmond	Reibman	Tilghman
Fumo	Lewis	Rhoades	Wenger
Greenleaf	Lincoln	Rocks	Williams
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	Zemprelli
Hess			

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.

UNFINISHED BUSINESS

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

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

**MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION**

April 1, 1986.

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 Wayne G. Davis, 1502 Surrey Lane, Overbrook Hills 19151, Montgomery County, Seventeenth Senatorial District, for appointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until February 21, 1987, and until his successor is appointed and qualified, vice Walter Weiner, Osceola, resigned.

DICK THORNBURGH.

**MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION**

April 1, 1986.

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 Rodney E. Steffy, Sr., 1300 Alsace Road, Reading 19604, Berks County, Eleventh Senatorial District, for appointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until February 21, 1987, and until his successor is appointed and qualified, vice John H. Ulrich, Lancaster, resigned.

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD
OF NURSING**

April 1, 1986.

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 Caroline C. Ace, L.P.N., Box 27, Lake Winola 18625, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD
OF NURSING

April 1, 1986.

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 H. Jean Bruhn, L.P.N., 947 Edgemoor Court, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

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

The PRESIDENT pro tempore. The nominations will be laid on the table.

SENATE RESOLUTION

ENCOURAGING PENNSYLVANIANS TO JOIN IN
THE NATIONAL CELEBRATION OF FLAG WEEK
AND FLAG DAY BY HONORING AND FLYING
THE AMERICAN FLAG

Senators LEMMOND, STAUFFER, GREENLEAF, ARMSTRONG, HESS, SHAFFER, HELFRICK, BELL, PECORA, WENGER, BRIGHTBILL, FISHER, LOEPER, WILT, REIBMAN, MOORE, SHUMAKER, SALVATORE and TILGHMAN offered the following resolution (**Senate Resolution No. 178**), which was read, considered and adopted:

In the Senate, June 10, 1986.

A RESOLUTION

Encouraging Pennsylvanians to join in the national celebration of Flag Week and Flag Day by honoring and flying the American flag.

WHEREAS, On June 14, 1777, in Philadelphia, John Adams introduced and the Continental Congress adopted the official flag of the United States of America; and

WHEREAS, The week each year in which June 14 occurs is designated as National Flag Week to honor the American flag; and

WHEREAS, June 14 of each year is designated as Flag Day to mark the anniversary of the adoption of the flag as our Nation's official flag; therefore be it

RESOLVED, That the Senate encourage all Pennsylvanians to honor the American flag and celebrate the anniversary of the adoption of the flag by displaying the flag during National Flag Week and especially on Flag Day, June 14.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Sonia Miller, George Squire, Eric Magobet, Diane Lambert, JoAnn Merlino, James Pitman, Renee Wallen, Tanya Bailey, John Cain, Don Weishew, Timothy Callahan, Eugene Tyrone Jackson and Mitchell Grant by Senator Fumo.

Congratulations of the Senate were extended to The Honorable Lynne M. Abraham and to George R. Haines by Senator Greenleaf.

Congratulations of the Senate were extended to the Montgomery County Fire Academy of Norristown by Senator Holl.

Congratulations of the Senate were extended to Matthew Whaling, William Litrenta and to Donald K. Bray by Senator Kratzer.

Congratulations of the Senate were extended to Dr. Peter M. Mensky by Senator Mellow.

Congratulations of the Senate were extended to John and Mary Miller by Senator O'Pake.

Congratulations of the Senate were extended to Craig Badami by Senator Pecora.

Congratulations of the Senate were extended to Sheffield Township by Senator Peterson.

Congratulations of the Senate were extended to Joseph M. Kulick by Senator Rhoades.

Congratulations of the Senate were extended to Jay Heffner and to Marla Kleinberg by Senator Salvatore.

Congratulations of the Senate were extended to Dr. I. O. Silver by Senator Shumaker.

Congratulations of the Senate were extended to the Punxsutawney Radio Emergency Service, Incorporated by Senator Stapleton.

Congratulations of the Senate were extended to Arco DiNardo and to the Western Pennsylvania Water Company of Washington by Senator Stout.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 1470, 1514, HB 430, 1160 and 2093.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

Senator CORMAN. Mr. President, the Thirty-fourth Senatorial District has more state forest land in it than any other Senatorial district in Pennsylvania. In fact, over 60 percent of the Commonwealth of Pennsylvania is forested. These woodlands include some of the finest hardwoods growing anywhere in the world and they provide significant economic, environmental and social values for the residents and the visitors of

the Commonwealth of Pennsylvania. In fact, Mr. President, Governor Thornburgh proclaimed 1986 to be the "Year of the Forest in Pennsylvania." In celebration of that I have requested that the various elementary schools in my district participate in various activities. One of those activities was writing essays. I have with me today seven essays that were award-winning essays in seven of the schools. I would like to read a sample of one of the poems that was submitted, and submit all seven to be placed in the Senate record. The one I am going to read is called "Year of the Forest in Pennsylvania—1986."

YEAR OF THE FOREST IN PENNSYLVANIA—1986

If earth was bare of trees,
 There'd be no you's, there'd be no me's.
 No creature would roam,
 Fly, swim, or crawl,
 And there'd be no more colored leaves in fall,
 No pure water to drink, no clean air to breathe,
 No food, not a crumb, you couldn't eat.
 With all that at stake, you've got to think.
 It could be here forever, or gone in a wink.
 If you're richest or poorest, youngest or oldest,
 Conserve the land in '86
 Pennsylvania's Year of the Forest.

MICHAEL STEINBERG
 6th Grade
 Robb School
 Lock Haven, PA 17745
 Clinton County

The PRESIDENT pro tempore. The Chair thanks the gentleman. The rest of the essays will be placed in the record.

(The following essays were made a part of the record at the request of the gentleman from Centre, Senator CORMAN:)

KEYSTONE CENTRAL SCHOOL DISTRICT
 Dr. Linford A. Werkheiser, Superintendent
 Administration Building
 95 W. Fourth Street
 Lock Haven, PA 17745

June 3, 1986

Ms. Elizabeth Sarge
 Senator Doyle Corman's Office
 Senate Post Office
 Harrisburg, PA 17015

Dear Ms. Sarge:

Just a note to let you know the results of our essay contest in our schools.

Seven schools had signed up and we have received some results from our schools. Enclosed are copies of several of the essays.

Thank you for supplying the T-Shirts, they were really nice.

Sincerely,
 DR. DENNIS H. SHUEY
 Grade Level Supervisor
 Mill Hall Elementary School
 Kyler Avenue
 Mill Hall, PA 17751

 What is a Tree?

Did you ever wonder what a tree is and what it does for us? Although a tree is only a huge plant it's a place for shade and picnics, and a lot of fun. Trees also give us lumber to build

shelter. They also give us paper. Trees are used for kids' tree houses and just for climbing. Parks almost always have many trees in them. Lots of trees not only give us food like syrup, oranges, apples and pears, but provide food and a home for many animals. Trees are more important to us than we think. Did you know that trees take in carbon dioxide, and let out oxygen which we need to live. On the other hand we breathe out carbon dioxide, and give it to the trees which they need to live. Trees depend on us just like we depend on them.

Trees help us to live. The average human needs one tree a day to survive. We should help out more by planting a tree. Don't be careless in starting a forest fire. Help a tree live. Return the favor!

ANISSA R.
 Liberty-Curtin Elementary School
 Clinton County

 The Tree Poem

Please don't burn trees.
 They blow in the breeze.
 They make the air smell so pretty
 and neat. The trees are so beautiful to see.
 And it makes this world a nicer place to be.

HEATHER WATSON
 4th Grade
 Lamar Township
 Elementary School
 Clinton County

 WEST BRANCH AREA SCHOOL DISTRICT
 Dr. John M. Deliman, Superintendent
 Box 248
 Morrisdale, Penna. 16858

April 27, 1986

Dear Senator Corman:

Enclosed are our two winners' essays for you to submit into the Senate Journal. We planted our two trees and had The Progress take pictures of the two children and their teachers.

We certainly appreciate your interest and effort in this endeavor.

By the way, we had two winners, one from the primary grades and one from the intermediate grades. Please send two t-shirts. Thank you.

Sincerely,
 DAVID A. KNEPPER
 Acting Elementary Principal
 West Branch Area School District
 Morrisdale, Penna. 16858

 The Year of the Forest

Trees, to me, are a fact of life. Trees provide us with a lot of things that we need. For instance, they give us fruit, syrup, and a shady place for hot summer days. Also, they give wild animals a home. Trees add beauty to our world, too. The world would look very dull without trees. They give us oxygen to breathe. The world would be very dull indeed!

Many people go places just to see the huge Redwood trees. Here is a poem that I wrote. It tells how I feel about trees:

There's a big, old oak tree in our yard
 It's the biggest one, yet by far
 I went and sat in its shade one day
 A calm sunny day, in May

I looked at the tree and thought to myself
How pretty the tree was, all by itself
Yes, trees are a blessing, that they are
The greatest blessing, yet by far.

This spring or summer I'm going to plant some cherry and oak.
How beautiful our world would be if everyone did!

ERIN ENGLISH
West Branch Elementary School
Clearfield County

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The Year of the Forest

My house is surrounded by trees. We use trees for a lot of things, like firewood, building things, and to climb on.

Animals use trees too. Some animals make their homes in trees, and some hide in trees. There are many kinds of trees too, like oak, pine, and many others. Trees also give us fruit like cherries, bananas, apples, pears, and oranges. My grandfather makes wooden things out of trees. Trees are used to make paper too. If the world didn't have any trees it would not be a very nice place to live. So take care of our trees!

SARAH SHUGARTS
Third grade
West Branch Elementary School
Clearfield County

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JUNIATA COUNTY SCHOOL DISTRICT
Fermanagh-Mifflintown Elementary School
Mifflintown, Pennsylvania 17059

May 21, 1986

Senator J. Doyle Corman
Senate Post Office
The State Capitol
Harrisburg, PA 17102-0030

Dear Senator Corman:

Thank you for your promotion of Arbor Day through the Activity Packets containing two hemlock trees. I have enclosed two winning essays written by a fifth and sixth grade student.

Hopefully, all information that is needed is provided on the student essay.

Thank you for your support of public schools in Pennsylvania.

Sincerely,
THOMAS R. WERT, Principal

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The Year of the Forest

Did you realize that right now you could be put in jail for starting a fire, especially in a forest? Forests are very important to people and to the animals that live in a forest. So we need to take care of forests because:

F - Forest friends need trees to live in. They depend on the forest for shelter and food.

O - Oxygen is very important to us. The trees take in the carbon dioxide we breathe out, and we breathe in the oxygen they give out.

R - resources, Trees are a resource that people can put back into the ground. Some resources such as coal can't be put back in the earth after we use it. Trees are used as lumber to build homes and to make paper that can be recycled too.

E - enemies, Forests have many enemies, but the forest fire is the worst. A careless person can make one mistake and cause a whole forest to be destroyed.

S - Smokey the Bear is a famous forest fire preventer. He has warned thousands of people about fires and what damage they

can do to a forest. So help Smokey stop forest fires. Don't be careless.

T - Tangerines are one of the many kinds of fruits that grow on trees. Fruit is important to people like tree farmers and the people who buy the fruit.

A forest is important to everyone and everything in so many ways. It provides shade and food and shelter and transportation. It helps us in so many ways we can't count them all. So when you're in a forest, don't be careless.

AMANDA SHADEL
Thompstontown Delaware
Elementary School
5th grade
Juniata County

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Trees

A Very Important Natural Resource

The largest plants in the world are trees. Trees are different from most other living things because they never stop growing as long as they live. They live year after year, and do not come and go with the seasons like flowers and farm crops do.

We seldom think about how much we depend upon trees. They provide us with foods, shelter, clothing, fuel, paper, as well as many other things. Everyone, everyday, uses wood in some form. Furniture and houses are made of it. We get most of our nuts from trees and some common fruits. They give us coffee, cocoa, maple syrup, oranges, grapefruit, lemons, apples and spices to name just a few. Trees supply us with gums, resins; with wax, cork, rubber; with medicines; and with perfumes and dyes.

Paper is one of the most important products of trees. Fir, spruce, and hemlock supply most of the pulpwood for paper making.

We owe our fertile fields and our water supply to the forests. Trees shield the soil from the bright sunshine and the arid winds. The leaves catch the rain and it seeps into the earth, causing small streams to form under ground which renews our supply of water. Without trees, the rain would fall on parched ground and run off across the fields, washing away the topsoil and damaging the crops.

Wild creatures make their homes in the forests and feed on nuts, berries, buds and barks. The trees provide nesting places for birds that bathe in rain pools and they eat insects that are harmful to the trees.

To me personally trees are very important. The wood from trees keeps me warm and cozy in the winter since we burn it in our fireplace. As spring arrives, many trees are lovely to behold as they burst into bloom. During summer vacation, when the temperature rises, we like to camp under the tall shade trees and the towering hemlocks in many of our state parks. In the autumn the leaves of the trees turn color to many brilliant shades of oranges, golds, and reds and as they fall around me make a splendid carpet to walk on as I hike. The things I have mentioned are only a few important uses of trees, a greatly used natural resource, that touches our lives each day.

KELLY HOSLER
Grade 6
Walker Elem.
Juniata County

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

June 10, 1986

HB 2172 — Committee on Finance.

BILLS INTRODUCED AND REFERRED

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

June 10, 1986

Senators CORMAN and STOUT presented to the Chair **SB 1556**, 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 and appropriation; further providing for the use of certain Federal funds; and limiting the power to incur debt.

Which was committed to the Committee on APPROPRIATIONS, June 10, 1986.

Senators SALVATORE, HELFRICK and LYNCH presented to the Chair **SB 1557**, entitled:

An Act establishing minimum rights for law enforcement officers and firefighters in connection with the investigative inquiries of the chief executive officer or the governing bodies of municipalities.

Which was committed to the Committee on JUDICIARY, June 10, 1986.

Senator MELLOW presented to the Chair **SB 1558**, entitled:

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), entitled "Pharmaceutical Assistance Contract for the Elderly Act," lowering the age for eligibility from 65 to 60.

Which was committed to the Committee on AGING AND YOUTH, June 10, 1986.

Senators LOEPER, SHAFFER, HOLL, ROCKS, SHUMAKER, RHOADES, MADIGAN, GREENLEAF, REIBMAN, FISHER and HOWARD presented to the Chair **SB 1559**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for Commonwealth reimbursements.

Which was committed to the Committee on EDUCATION, June 10, 1986.

Senator TILGHMAN presented to the Chair **SB 1560**, entitled:

An Act providing for the capital budget for the fiscal year 1986-1987.

Which was committed to the Committee on APPROPRIATIONS, June 10, 1986.

Senators REIBMAN, ROMANELLI, LEWIS, ANDREZESKI and O'PAKE presented to the Chair **SB 1561**, entitled:

An Act making an appropriation to the Department of Education for the Pennsylvania Humanities Council.

Which was committed to the Committee on APPROPRIATIONS, June 10, 1986.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 11, 1986

9:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider House Bill No. 90; Senate Bill No. 1543; and Public Welfare Regulation 14-625, regarding reimbursement of birth right centers)	Room 460, 4th Floor Conference Rm., North Wing
10:00 A.M.	FINANCE (to consider Senate Bill No. 1486)	Room 461, 4th Floor Conference Rm., North Wing
10:30 A.M.	MILITARY AND VETERANS AFFAIRS (to consider House Bill No. 124 and 260)	Room 460, 4th Floor Conference Rm., North Wing
11:00 A.M.	APPROPRIATIONS (to consider Senate Bills No. 1447, 1556 and 1560)	Rules Committee Conference Rm.
11:00 A.M.	COMMUNITY AND ECONOMIC DEVELOPMENT (to consider House Bill No. 1832 and any other business that may come before the Committee)	Room 461, 4th Floor Conference Rm., North Wing
2:00 P.M.	LOCAL GOVERNMENT (to consider House Bills No. 39 and 1731)	Room 461, 4th Floor Conference Rm., North Wing

TUESDAY, JUNE 17, 1986

9:00 A.M.	Conference Committee on Senate Bill No. 670	Room 461, 4th Floor Conference Rm., North Wing
11:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 1218, 1371; House Bills No. 147, 799, 1621, 1790, 1921, 2247, 2275 and 2276)	Room 459, 4th Floor Conference Rm., North Wing

LEGISLATIVE LEAVE CANCELLED

Senator LINCOLN. Mr. President, I would like to have Senator Musto's temporary legislative leave cancelled and show he is on the floor.

The PRESIDENT pro tempore. I would be delighted to welcome back Senator Musto and cancel his temporary Capitol leave since he is now on the floor.

RECESS

Senator STAUFFER. Mr. President, in case any Members are listening in their offices, I would point out that later this evening the Senate will come back into Session for the purpose of receiving a committee report and only for that purpose. Therefore, at this time I would move that the Senate stand in recess to the call of the Chair.

On the question,

Will the Senate agree to the motion?

Senator LINCOLN. Mr. President, I desire to briefly interrogate the Majority Leader, the gentleman from Chester, Senator Stauffer.

The PRESIDENT pro tempore. Will the gentleman from Chester, Senator Stauffer, permit himself to be interrogated?

Senator STAUFFER. I will, Mr. President.

Senator LINCOLN. Mr. President, could we have some idea as to what the schedule will be tomorrow?

Senator STAUFFER. Mr. President, tomorrow we will come in Session at 11:15 a.m. and it will be a working day Session. I would think it will probably be well into midafternoon before we complete the work because there are a number of bills we will be dealing with tomorrow that require the amendment procedure.

Senator LINCOLN. Thank you, Mr. President. I appreciate that information.

The PRESIDENT pro tempore. For the benefit of the Members who are on the floor and in their offices, the Senate will commence its schedule tomorrow at approximately 11:15 a.m. Senator Stauffer's motion will be and has been to recess to the call of the Chair for the purpose of receiving a bill and for that purpose only.

The motion was agreed to.

The PRESIDENT pro tempore. The Senate stands in recess to the call of the Chair.

AFTER RECESS

The PRESIDING OFFICER (J. Doyle Corman) in the Chair.

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

REPORTS FROM COMMITTEE

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

HB 384 (Pr. No. 3613) (Amended) (Rereported)

A Supplement to the act of July 3, 1984 (P. L. 583, No. 117), entitled "An act providing for the capital budget for the fiscal year 1984-1985," itemizing public highway projects to be constructed by the Department of Transportation, together with the estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of Transportation; stating the estimated useful life of the projects; making appropriations; and making a repeal.

HB 385 (Pr. No. 3614) (Amended) (Rereported)

An Act amending the act of December 8, 1982 (P. L. 848, No.235), known as the "Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983," deleting a bridge project in Allegheny County; adding bridge projects in various counties; and providing for reimbursement to municipalities.

SUPPLEMENTAL CALENDAR NO. 1**HB 384 CALLED UP**

HB 384 (Pr. No. 3613) — Without objection, the bill was called up, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

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

HB 384 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

HB 385 CALLED UP

HB 385 (Pr. No. 3614) — Without objection, the bill was called up, from page 1 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

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

HB 385 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

ADJOURNMENT

Senator STAUFFER. Mr. President, I move the Senate do now adjourn until Wednesday, June 11, 1986, at 11:15 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:05 p.m., Eastern Daylight Saving Time.