

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 28, 1989

SESSION OF 1989

173RD OF THE GENERAL ASSEMBLY

No. 65

SENATE

TUESDAY, November 28, 1989.

The Senate met at 2:00 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, the Reverend KAREN LAYMAN, Pastor of Grace United Methodist Church, Lemoyne, offered the following prayer:

Will you join me in prayer.

Almighty God, we come before You humbly this day aware of the few precious days You give each of us to live and to make a difference for good in this marvelously turbulent world.

Help us never to take for granted the sweet gift of life and to use each moment profitably. Keep us from frittering away our time on petty disagreements or selfish personal motivations. Keep us focused on what is true and just, so that Your will may be done in us for the benefit of all the people of this Commonwealth.

In Your holy name we pray. Amen.

The PRESIDENT: The Chair thanks Pastor Layman who is the guest this week of Senator Andrezeski.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 15, 1989.

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

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILL

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

SB 369.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

November 22, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas D. Nabors, Jr. (Public Member), 747 Sycamore Drive, Southampton 18966, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John Corson, Blue Bell, whose term expired.

ROBERT P. CASEY.

RECALL COMMUNICATIONS LAID ON THE TABLE

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 laid on the table:

JUDGE, COMMONWEALTH COURT

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 19, 1989 for the appointment of Thompson J. McCullough, 1395 Sleepy Hollow Road, York 17403, York County, Twenty-eighth Senatorial District, as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January, 1990, vice The Honorable John A. Rauhauser, mandatory retirement.

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

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

November 20, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 23, 1989 for the appointment of Arnold L. New, Esquire, 3421 Midvale Avenue, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1992, vice The Honorable Joseph P. Braig, resigned.

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

ROBERT P. CASEY.

**RECALL COMMUNICATIONS
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 COSMETOLOGY**

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 7, 1989 for the appointment of Susan F. Smith (Public Member), P. O. Box 224, Lemont 16851, Centre County, THirty-fourth Senatorial District, as a member of the State Board of Cosmetology, to serve until March 14, 1992, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lisa A. Smith, Hanover, resigned.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 11, 1989 for the appointment of Sara R. Nichols, Esquire, 65 Devon Road, Paoli 19301, Chester County, Nineteenth Senatorial District, as District Justice in and for the County of Chester, Magisterial District 15-2-05, to serve until the first Monday of January, 1990, vice John R. Blackburn, Jr., resigned.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 7, 1989 for the appointment of Susan E. Murray, Esquire, 406 Gayley Street, Apartment B-510, Media 19063, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-1-28, to serve until the first Monday of January, 1990, vice Joseph V. Gessler, resigned.

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

ROBERT P. CASEY.

**JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY**

November 20, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 27, 1989 for the appointment of Allan L. Tereshko, Esquire, 2613 East Lehigh Avenue, Philadelphia 19129, Philadelphia County, First Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1990, vice The Honorable Nicholas A. Cipriani, mandatory retirement.

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

ROBERT P. CASEY.

**CORRECTION TO RECALL TO NOMINATION
BY THE GOVERNOR LAID ON THE TABLE**

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

**JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY**

November 27, 1989.

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

Please note the recall dated November 17, 1989 for

JUDGE, COMMONWEALTH COURT

should read:

**JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY**

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 19, 1989 for the appointment of Thompson J. McCullough, 1395 Sleepy Hollow Road, York 17403, York County, Twenty-eighth Senatorial District, as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January, 1990, vice The Honorable John A. Rauhauser, mandatory retirement.

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 71**.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 484** and **576**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

November 20, 1989

HB 1895 — Committee on Consumer Protection and Professional Licensure.

November 22, 1989

HB 225 — Committee on Urban Affairs and Housing.

HB 689 — Committee on Education.

HB 790 and **1892** — Committee on Game and Fisheries.

HB 820 — Committee on Agriculture and Rural Affairs.

HB 1239 and **1764** — Committee on Transportation.

HB 1360 — Committee on Judiciary.

HB 1615 — Committee on Public Health and Welfare.

HOUSE RESOLUTION FOR CONCURRENCE

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

November 27, 1989

House Concurrent Resolution No. 223 — Committee on Rules and Executive Nominations.

BILLS INTRODUCED AND REFERRED

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

November 20, 1989

Senators SALVATORE, LEMMOND, REIBMAN, RHOADES, HELFRICK, PORTERFIELD and LYNCH presented to the Chair **SB 1347**, entitled:

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as amended, "Senior Citizen Rebate and Assistance Act," exempting a portion of Social Security benefits from income.

Which was committed to the Committee on AGING AND YOUTH, November 20, 1989.

Senators SALVATORE, SHUMAKER, AFFLERBACH, WENGER, BELAN, HELFRICK, PORTERFIELD and LYNCH presented to the Chair **SB 1348**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the impoundment of a vehicle for the owner's failure to pay the fine and costs on a conviction of driving while operating privilege is suspended or revoked.

Which was committed to the Committee on TRANSPORTATION, November 20, 1989.

Senators SALVATORE, HELFRICK and LYNCH presented to the Chair **SB 1349**, entitled:

An Act requiring cities of the first class to have a certain number of police officers.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, November 20, 1989.

Senators SALVATORE, LEMMOND, BELAN, HELFRICK and LYNCH presented to the Chair **SB 1350**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the operation of vehicles in funeral processions and for the offense of interruption of a funeral procession.

Which was committed to the Committee on TRANSPORTATION, November 20, 1989.

Senators SALVATORE, ROCKS, SHUMAKER, PORTERFIELD, LYNCH, O'PAKE and HELFRICK presented to the Chair **SB 1351**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sale of alcoholic beverages without a license; and providing a penalty.

Which was committed to the Committee on LAW AND JUSTICE, November 20, 1989.

Senators SALVATORE, ROCKS, SHUMAKER, PORTERFIELD, LYNCH, O'PAKE and HELFRICK presented to the Chair **SB 1352**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting restaurants which are not licensed under the Liquor Code from permitting patrons to consume alcoholic beverages on the premises.

Which was committed to the Committee on LAW AND JUSTICE, November 20, 1989.

Senators WENGER, MADIGAN and HELFRICK presented to the Chair **SB 1353**, entitled:

An Act amending the act of April 4, 1984 (P. L. 193, No. 40), entitled "Motor Vehicle Procurement Act," further providing for purchase or lease of certain motor vehicles.

Which was committed to the Committee on STATE GOVERNMENT, November 20, 1989.

Senators BODACK, SHUMAKER, ROSS, O'PAKE, MELLOW, LINCOLN, DAWIDA, SCANLON, BELAN, REGOLI, AFFLERBACH, MUSTO, JONES, REIBMAN,

STEWART, STOUT, PORTERFIELD, HELFRICK, RHOADES, PECORA, STAPLETON, LYNCH, SHAFFER and SALVATORE presented to the Chair **SB 1354**, entitled:

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$400,000,000 for the repair, construction, reconstruction, rehabilitation and improvement of county prisons; and making an appropriation.

Which was committed to the Committee on JUDICIARY, November 20, 1989.

Senators RHOADES, SHAFFER, SALVATORE, HELFRICK, STEWART, PETERSON and HOLL presented to the Chair **SB 1355**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," requiring that references to a legally qualified electoral opponent which are incorporated in broadcast advertising be uttered by the candidate whose campaign committee sponsors the advertisement.

Which was committed to the Committee on STATE GOVERNMENT, November 20, 1989.

November 22, 1989

Senators SHAFFER, SHUMAKER, TILGHMAN, O'PAKE, LEMMOND, WILT, HELFRICK, RHOADES, SALVATORE, ROCKS, MADIGAN, BELL, WENGER, JUBELIRER, FISHER, PETERSON, HOPPER, CORMAN, BAKER, ARMSTRONG, BODACK, STAPLETON, REGOLI, BELAN, LYNCH, REIBMAN, SCANLON, MUSTO, DAWIDA, FATTAH, JONES, AFFLERBACH, GREENWOOD, BRIGHTBILL, GREENLEAF, STOUT, HOLL, PUNT, HESS, ROSS, LEWIS, STEWART and PORTERFIELD presented to the Chair **SB 1356**, entitled:

An Act amending the act of July 1, 1989 (P. L. , No. 3A), entitled "General Appropriation Act of 1989," providing an increase in the appropriation for the Ben Franklin Partnership.

Which was committed to the Committee on APPROPRIATIONS, November 22, 1989.

Senators SHAFFER, SCANLON, FISHER, DAWIDA, STOUT, PECORA and LINCOLN presented to the Chair **SB 1357**, entitled:

An Act making an appropriation to the Historical Society of Western Pennsylvania for operating expenses.

Which was committed to the Committee on APPROPRIATIONS, November 22, 1989.

Senators O'PAKE, STAPLETON, FUMO, BELL, AFFLERBACH, RHOADES, ROSS, HELFRICK, FATTAH, LINCOLN, BODACK and SHAFFER presented to the Chair **SB 1358**, entitled:

An Act amending the act of June 16, 1989 (P. L. 25, No. 8), entitled "An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restoration of operating privilege," providing for refund of certain insurance premiums.

Which was committed to the Committee on BANKING AND INSURANCE, November 22, 1989.

Senators HELFRICK, JUBELIRER, LYNCH, MUSTO, O'PAKE, STOUT and SHAFFER presented to the Chair **SB 1359**, entitled:

An Act amending the act of December 1, 1977 (P. L. 249, No. 83), entitled, as amended, "An act prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen, fire police and volunteer members of ambulance services and rescue squads;....," requiring certain volunteers to be treated equally.

Which was committed to the Committee on LABOR AND INDUSTRY, November 22, 1989.

Senators HELFRICK, SHUMAKER, PORTERFIELD and LEMMOND presented to the Chair **SB 1360**, entitled:

An Act providing for a Statewide referendum on the question of whether Pennsylvania should have a Returnable Beverage Container Act.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 22, 1989.

Senators LEWIS, REIBMAN and MELLOW presented to the Chair **SB 1361**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further defining "tangible personal property" with respect to new manufactured housing; and further providing for the imposition of the tax thereon.

Which was committed to the Committee on FINANCE, November 22, 1989.

Senators LEWIS, MELLOW and REIBMAN presented to the Chair **SB 1362**, entitled:

An Act amending the act of December 22, 1983 (P. L. 306, No. 84), entitled "Board of Vehicles Act," further providing for mobile home parks.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, November 22, 1989.

Senators LEWIS, MELLOW and REIBMAN presented to the Chair **SB 1363**, entitled:

An Act amending the act of November 24, 1976 (P. L. 1176, No. 261), entitled "Mobile Home Park Rights Act," further providing for evictions.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, November 22, 1989.

Senators LEWIS and MELLOW presented to the Chair **SB 1364**, entitled:

An Act amending the act of November 24, 1976 (P. L. 1176, No. 261), entitled "Mobile Home Park Rights Act," further providing for evictions, for park rules and regulations, for maintenance and repairs, for underskirting and tie-down equipment and for overnight guests.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, November 22, 1989.

Senators AFFLERBACH, REIBMAN, PECORA, LYNCH, SALVATORE, REGOLI, STAPLETON and BELAN presented to the Chair **SB 1365**, entitled:

An Act providing for services for developmentally disabled children and adults and their families; and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, November 22, 1989.

November 27, 1989

Senators SHUMAKER, SALVATORE, BELAN, BELL, REGOLI, PECORA, FISHER, O'PAKE, AFFLERBACH, SHAFFER, MUSTO, REIBMAN, RHOADES, LEMMOND, LYNCH, STAPLETON and PORTERFIELD presented to the Chair SB 1366, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, reestablishing the Pennsylvania Veterans' Memorial Commission; extending the terms of its members; and making an appropriation.

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, November 27, 1989.

Senators FUMO, MUSTO, AFFLERBACH, LYNCH, REIBMAN, LEWIS, PORTERFIELD and FATTAH presented to the Chair SB 1367, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," restricting deductions for costs and expenses of environmental damage cleanup.

Which was committed to the Committee on FINANCE, November 27, 1989.

Senators HOPPER and SHUMAKER presented to the Chair SB 1368, entitled:

An Act amending the act of September 30, 1985 (P. L. 240, No. 61), entitled "Turnpike Organization, Extension and Toll Road Conversion Act," further providing for a turnpike interchange at New Cumberland Army Depot.

Which was committed to the Committee on TRANSPORTATION, November 27, 1989.

RESOLUTIONS INTRODUCED AND REFERRED

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

November 22, 1989

RECOGNIZING THE USS PENNSYLVANIA, SSN735, AS AN IMPORTANT PART OF UNITED STATES NAVAL FORCES; AND RECOGNIZING THE MEN AND WOMEN WHO SERVE ABOARD HER

Senators SALVATORE, SHUMAKER, REIBMAN, PECORA, RHOADES, WENGER, BELAN, HELFRICK, PORTERFIELD and LYNCH offered the following resolution (Senate Resolution No. 118), which was read and referred to the Committee on Military and Veterans Affairs:

In the Senate, November 22, 1989.

A RESOLUTION

Recognizing the USS Pennsylvania, SSN735, as an important part of United States Naval Forces; and recognizing the men and women who serve aboard her.

WHEREAS, The USS Pennsylvania, SSN735, a ballistic missile submarine of the Ohio class, was christened on April 23, 1988, at Groton, Connecticut; and

WHEREAS, The USS Pennsylvania is part of the American nuclear strategy as a deterrent force; and

WHEREAS, The submarine has the capability of launching 24 Trident II intercontinental ballistic missiles; and

WHEREAS, The submarine is manned by 136 men and has the latest electronic equipment and guidance systems; and

WHEREAS, The name Pennsylvania has been borne proudly since the founding of our Nation by several other ships which acquitted themselves with distinction and valor in support of American policy and maritime strategy; and

WHEREAS, The defense of American institutions requires constant vigilance and maintenance of an adequate deterrent force; therefore be it

RESOLVED, That the Senate of Pennsylvania recognize the USS Pennsylvania, SSN735, with pride and respect as an important part of United States Naval Forces, deployed upon the seven seas in support of America's commitment to a free world; and be it further

RESOLVED, That we recognize the men and women who serve aboard and in support of the USS Pennsylvania for the courage and competency and their willingness to go in harm's way in defense of our democratic institutions; and be it further

RESOLVED, That we look forward to the day when the USS Pennsylvania may ply the seas without her nuclear cargo.

November 27, 1989

PROCLAIMING NOVEMBER 30, 1989, AS "ST. ANDREW'S DAY"; AND HONORING THE MANY PENNSYLVANIANS OF SCOTTISH HERITAGE

Senators AFFLERBACH, STEWART, SHUMAKER, MUSTO, MELLOW, GREENLEAF, PECORA, LEWIS, REGOLI and STOUT offered the following resolution (Senate Resolution No. 119), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, November 27, 1989.

A RESOLUTION

Proclaiming November 30, 1989, as "St. Andrew's Day"; and honoring the many Pennsylvanians of Scottish heritage.

WHEREAS, St. Andrew is the patron saint of Scotland, and November 30, St. Andrew's feast day, is celebrated by Scots throughout the world; and

WHEREAS, Since the late 17th Century, Scots have played an important role in the history of this Commonwealth, including such notables as:

(1) James Wilson, one of the principle architects of the United States Constitution;

(2) Thomas Mifflin, first Governor of this Commonwealth following ratification of the Constitution;

(3) James Buchanan, 15th President of the United States and the only Pennsylvanian elected to that office; and

(4) Andrew Carnegie, the father of Pennsylvania's steel industry and noted philanthropist; and

WHEREAS, The rich Scottish traditions and heritage have had a tremendous impact on Pennsylvania; therefore be it

RESOLVED, That the Senate of Pennsylvania hereby proclaims November 30, 1989, as "St. Andrew's Day" and honors the many Pennsylvanians of Scottish heritage.

GENERAL COMMUNICATIONS**AUDITOR GENERAL'S CERTIFICATE**

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

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE AUDITOR GENERAL
Harrisburg 17120-0018

November 21, 1989

The Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of Pennsylvania and Section 1604-B of The Fiscal Code, as amended, the Governor has requested a certificate relevant to the settlement for the general obligation bond sale of November 7, 1989.

A duplicate original of my certificate is enclosed.

Sincerely,

BARBARA HAFER
Auditor General

AUDITOR GENERAL'S CERTIFICATE

Pursuant to

ARTICLE VIII, Section 7(a)(4) and (c)
of the
CONSTITUTION OF PENNSYLVANIA
and the

Act of April 9, 1929, No. 176, as amended

To The Governor and The General Assembly:

I, BARBARA HAFER, Auditor General of the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Constitution Article VIII (Section 7(a) (4) and (c)) and Section 1604-B of The Fiscal Code (Act of April 9, 1929, P.L. 343, No. 176, Article XVI-B; added June 21, 1984, P.L. 407, No. 83, Section 2) certify as follows:

The amount of the outstanding net debt as of the date of this certificate is. \$ 3,852,428,210

The difference between the limitation upon all net debt outstanding as provided in Article VIII, Section 7(a)(4) of the Constitution of Pennsylvania and the amount of outstanding net debt as of the date of this certificate is. 18,320,612,190

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 21st day of November, 1989.

BARBARA HAFER
Auditor General
Commonwealth of Pennsylvania

**HEALTH CARE CONCILIATION PROGRAM
ANNUAL REPORT 1988-89**

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

**COMMONWEALTH OF PENNSYLVANIA
ARBITRATION PANELS FOR HEALTH CARE**

3 Riverside Office Center
2101 North Front Street
Harrisburg, PA 17110

November 24, 1989

To: The Honorable Robert P. Casey, Governor
and
The Honorable-Members of the General Assembly

From: PERRIN C. HAMILTON, Administrator
Arbitration Panels for Health Care

Subject: ANNUAL REPORT OF THE HEALTH
CARE CONCILIATION PROGRAM
Fiscal Year 1988-89

Submitted by the Administrator as required by Section 306 of the Health Care Services Malpractice Act.

Attached is a summary of this office's activities for fiscal year 1988-89 and a description of initiatives planned for 1989-90. We would be pleased to supply additional copies or further information upon request.

The PRESIDENT. This report will be filed in the Library.

JOB TRAINING PARTNERSHIP ACT PLAN

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

**NORTHWEST PENNSYLVANIA TRAINING
PARTNERSHIP CONSORTIUM, INC.**

P.O. Box No. 1
Highway 322 East
Franklin, PA 16323

November 21, 1989

The Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Main Capital Building
Harrisburg, PA 17120

Dear President Jubelirer:

This letter is to notify you that this Job Training Partnership Act Service Delivery Area (SDA 02) is submitting a new two-year Master Plan to the Pennsylvania Department of Labor and Industry by December 27, 1989.

This two-year Master Plan will, for the period from July 1, 1990 through June 30, 1992, enable NPTPC to continue to assist local economically disadvantaged residents to achieve economic self-sufficiency. The Master Plan describes administrative and JTPA programmatic procedures and priorities.

These plans are available for public review on weekdays from 8:00 a.m. to 4:30 p.m. at NPTPC's headquarters, Highway 322 East, Franklin, PA 16323. Questions and comments may be directed to Planning Director, (814) 437-3000 at the above address.

If you so request, complete copies of the Master Plan will be provided.

Sincerely,
DAVID R. PEARSON
Executive Director

The PRESIDENT. This communication will be filed in the Library.

BILLS SIGNED

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

HB 71 and 1886.

REPORTS FROM COMMITTEES

Senator ARMSTRONG, from the Committee on Finance, reported the following bill:

SB 121 (Pr. No. 1737) (Amended)

An Act providing for the designation by taxpayers on State income tax forms for the use of certain sums for cancer research; and making an appropriation.

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

SB 41 (Pr. No. 1738) (Amended)

An Act establishing a loan forgiveness program for certain professional nurses.

SB 1031 (Pr. No. 1739) (Amended)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for the State System of Higher Education to act as both lessor and lessee of property; providing for the issuance of bonds; and making repeals.

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

SB 371 (Pr. No. 1575) (Rereported)

An Act providing for the handling of asbestos-containing waste; and conferring powers and duties on the Department of Environmental Resources.

SB 718 (Pr. No. 1706) (Rereported)

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

SB 759 (Pr. No. 1103) (Rereported)

An Act requiring the accreditation of persons engaged in occupations relating to asbestos; granting certain powers to the Department of Labor and Industry; and providing for criminal and civil penalties.

SB 815 (Pr. No. 1308) (Rereported)

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," increasing membership of the Pennsylvania State Police; and providing for enlisted personnel.

SB 854 (Pr. No. 1740) (Amended) (Rereported)

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for a carryover; and providing for a phased in carryback for corporate net income taxes.

SB 983 (Pr. No. 1741) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding provisions relating to constables.

SB 1063 (Pr. No. 1688) (Rereported)

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

SB 1068 (Pr. No. 1259) (Rereported)

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

SB 1069 (Pr. No. 1260) (Rereported)

An Act making an appropriation to the Pennsylvania Board of Probation and Parole for an intensive parole supervision program for the 1989-1990 fiscal year.

SB 1072 (Pr. No. 1707) (Rereported)

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

SB 1356 (Pr. No. 1722)

An Act amending the act of July 1, 1989 (P. L. , No. 3A), entitled "General Appropriation Act of 1989," providing an increase in the appropriation for the Ben Franklin Partnership.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I request a legislative leave for today's Session on behalf of Senator Peterson.

Senator LINCOLN. Mr. President, I would ask for a legislative leave for the day for Senator Williams.

The PRESIDENT. Senator Loeper asks legislative leave for Senator Peterson. Senator Lincoln asks legislative leave for Senator Williams. The Chair hears no objection. Those leaves will be granted.

DISCHARGE PETITIONS

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

In the Senate, November 28, 1989.

A PETITION

To place before the Senate the nomination of Daniel P. Elby as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education.

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 Daniel P. Elby, York, Pennsylvania, as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

In the Senate, November 28, 1989.

A PETITION

To place before the Senate the nomination of Jack P. Gross as a member of the Public Television Network 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 Jack P. Gross, Philadelphia, Pennsylvania, as a member of the Public Television Network Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

In the Senate, November 28, 1989.

A PETITION

To place before the Senate the nomination of Preston McMillian as a member of the Northampton County Board of Assistance.

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 Preston McMillian, Easton, Pennsylvania, as a member of the Northampton County Board of Assistance, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Roy W. Wilt
F. Joseph Loeper
Robert C. Jubelirer
Noah W. Wenger
David J. Brightbill

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

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Senator LOEPER offered the following resolution, which was read as follows:

In the Senate, November 28, 1989.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, December 4, 1989, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, December 4, 1989, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION ADOPTED

Senator LOEPER. Mr. President, I move that the Senate do adopt this resolution.

On the question,

Will the Senate agree to the motion?

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

YEAS—50

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

NAYS—0

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

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

LEGISLATIVE LEAVES

Senator LINCOLN. Mr. President, I would request temporary Capitol leaves for Senator Andrezeski, Senator Dawida, Senator Mellow, Senator Regoli and Senator Lewis.

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

PERSONAL PRIVILEGE

Senator LINCOLN. Mr. President, I rise to a point of personal privilege.

The PRESIDENT. The gentleman from Fayette, Senator Lincoln, will state it.

Senator LINCOLN. Mr. President, over the Thanksgiving holiday, a very wonderful event took place in the Senator Vincent Fumo household. Vincent and his lovely wife Jane were fortunate in that Jane gave birth Wednesday evening to an approximately 6 pound baby girl whose name is Allison. The baby is still hospitalized since there has been a little problem with her being premature, but Jane is doing well. Those of you who see Vincent today, if he looks like he is two feet off the ground, I think there is a very good reason. I think he deserves a round of applause here from those of us in the Senate.

The PRESIDENT. Would all the Members of the Senate please join me in a round of applause for the new father, Senator Vincent Fumo.

(Applause.)

SPECIAL ORDER OF BUSINESS

GUESTS OF SENATOR ROY C. AFFLERBACH PRESENTED TO SENATE

Senator AFFLERBACH. Mr. President, with us in the gallery today are three individuals from the Sixteenth Senatorial District. They are Lynn Lippman and her sons Marc and John. I am particularly gratified to have these people here today because, while some of the Members of the Chamber may find this unbelievable, they actually bid at a charity auction in order to spend the day with me in Harrisburg. They not only placed the bid but actually guarded the bidding sheet to make sure they would be the final bidders. I did not ask them how much they bid for fear that it might embarrass me if it were too low, and they did not tell me for fear that it would give me a swelled ego if it were too high. But I do welcome them here, and I would ask my colleagues to also welcome them to the proceedings in Harrisburg today.

The PRESIDENT. Would the guests of Senator Afflerbach please rise so we can welcome you to the Chamber.

(Applause.)

The PRESIDENT. The Chair finds it very difficult to imagine what second prize would be.

SPECIAL ORDER OF BUSINESS

CONGRATULATIONS OF THE SENATE EXTENDED TO SENATOR AND MRS. CLARENCE D. BELL

Senator LOEPER. Mr. President, today it is a special occasion that I have to offer to the Members of the Senate a congratulatory resolution to present to one of our own Members. I would like to take the opportunity to read the congratulatory resolution as follows:

Whereas, Senator and Mrs. Clarence D. Bell celebrated their golden wedding anniversary yesterday. Their happy union has been blessed by two children and three grandchildren; and

Whereas, These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Bell, nee Mary Isabel James, and Senator Bell were married November 29, 1939 in Germantown.

Now therefore, the Senate of the Commonwealth of Pennsylvania extends its best wishes and congratulations to Senator and Mrs. Clarence D. Bell on the occasion of their fiftieth wedding anniversary; expresses its hope that they may long continue to enjoy their happy marriage;

And directs that a copy of this document, sponsored by myself, and I am sure, the rest of the Members of this Senate, offering their congratulations, be transmitted to Senator and Mrs. Clarence D. Bell.

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

On the question,

Will the Senate adopt the resolution?

RESOLUTION ADOPTED

Senator LOEPER. Mr. President, I move that the Senate do adopt this resolution.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The record will show that the adoption of the resolution is unanimous.

(Applause.)

Senator BELL. Thank you, Mr. President. Thank you, my colleagues of the Senate. My only comment is that my wife is a very patient and understanding person.

The PRESIDENT. The Chair thanks the Members of the Senate and joins in hearty congratulations for Clarence and Mrs. Bell.

SPECIAL ORDER OF BUSINESS

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given their permission for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bills No. 134 and 576, Senate Resolution No. 119 and certain nominations.

RECESS

Senator LOEPER. Mr. President, at this time I would request a recess of the Senate for the purpose of a Republican caucus to begin immediately in the Majority caucus room on the first floor, with an expectation of returning to the floor at approximately 3:45 p.m.

Senator LINCOLN. Mr. President, I would request a similar set of circumstances for the Members of the Democrat caucus in that our Members should report to the caucus room in the back of the Senate immediately.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately, the Senate will stand in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I would request a temporary Capitol leave for Senator Rhoades who has been called from the floor.

Senator STEWART. Mr. President, we would like to request a temporary Capitol leave for Senator Stapleton.

The PRESIDENT. Senator Loeper requests temporary Capitol leave for Senator Rhoades. Senator Stewart requests temporary Capitol leave for Senator Stapleton. The Chair hears no objection. Those leaves will be granted.

CALENDAR**REPORT OF COMMITTEE OF CONFERENCE****REPORT ADOPTED**

SB 253 (Pr. No. 1566) — The Senate proceeded to consideration of the bill, entitled:

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

Senator LOEPER. Mr. President, I move the Senate adopt the Report of Committee of Conference on Senate Bill No. 253.

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—46

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

NAYS—4

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

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

LEGISLATIVE LEAVES CANCELLED

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

LEGISLATIVE LEAVES

Senator BODACK. Mr. President, I would ask for temporary Capitol leaves for Senator Belan and Senator Porterfield who are on their way to a meeting; also, temporary Capitol leaves for Senator Fumo and Senator Ross.

The PRESIDENT. Senator Fumo, Senator Belan, Senator Porterfield and Senator Ross require temporary Capitol leaves. The Chair hears no objection. The leaves will be granted.

Senator BRIGHTBILL. Mr. President, I request temporary Capitol leave for Senator Helfrick.

The PRESIDENT. Senator Brightbill requests temporary Capitol leave for Senator Helfrick. That leave also, without objection, will be granted.

Senator LOEPER. Mr. President, may I have a temporary Capitol leave on behalf of Senator Holl.

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Regoli and Senator Stapleton. Their temporary Capitol leaves will be cancelled. The Chair also recognizes the presence on the floor of Senator Lewis. His temporary Capitol leave will be cancelled, as well.

CONSIDERATION OF CALENDAR RESUMED**BILL ON CONCURRENCE IN HOUSE AMENDMENTS****BILL OVER IN ORDER**

SB 122 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

THIRD CONSIDERATION CALENDAR**BILLS OVER IN ORDER**

SB 183, 184 and 185 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 268 (Pr. No. 2659) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 30, 1967 (P. L. 658, No. 305), known as the "Business Improvement District Act of 1967," authorizing cities of the second class to finance services within business improvement districts.

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

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

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

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

Considered the 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—47

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

NAYS—3

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

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

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

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

Considered the 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—47

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

NAYS—3

Bell Rocks Salvatore

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

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

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

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

Considered the 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—46

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

NAYS—4

Bell Pecora Rocks Salvatore

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

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

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

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

Considered the 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—46

Afflerbach	Greenleaf	Lynch	Ross
Andrezski	Greenwood	Madigan	Scanlon
Armstrong	Helfrick	Mellow	Shaffer
Baker	Hess	Musto	Shumaker
Belan	Holl	O'Pake	Stapleton
Bodack	Hopper	Peterson	Stewart

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

NAYS—4

Bell Pecora Rocks Salvatore

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

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

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

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

Considered the 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—46

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

NAYS—4

Bell Pecora Rocks Salvatore

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

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

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

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

Considered the 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—46

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

NAYS—4

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

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

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

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

Considered the 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—46

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

NAYS—4

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

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

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

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

Considered the 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—46

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

NAYS—4

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

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

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

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

Considered the 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—46

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

NAYS—4

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

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

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

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

Considered the 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—46

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

NAYS—4

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

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

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

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

Considered the 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—46

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

Fumo Loeper

NAYS—4

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

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

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

An Act amending the act of August 6, 1936 (Sp. Sess., P. L. 95, No. 38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate;....," further regulating purchases and bidding on such purchases.

Considered the 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—46

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

NAYS—4

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

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

BILLS OVER IN ORDER

HB 837, 838 and 839 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 894 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

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

NAYS—0

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

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

BILL ON THIRD CONSIDERATION AMENDED

SB 1067 (Pr. No. 1592) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), entitled, as amended, "Pennsylvania Board of Probation and Parole Law," providing for earned time; and making a repeal.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator LEWIS, by unanimous consent, offered the following amendment No. A3622:

Amend Sec. 1, page 3, by inserting between lines 21 and 22:

Section 34.4. If a county initiates an earned time program after the effective date of this act, the program must comply with regulations developed by the Department of Corrections under section 34.1.

Amend Sec. 1 (Sec. 34.4), page 3, line 22, by striking out "34.4" and inserting: 34.5

Amend Sec. 1 (Sec. 34.5), page 3, line 25, by striking out "34.5" and inserting: 34.6

Amend Sec. 1 (Sec. 34.6), page 4, line 7, by striking out "34.6" and inserting: 34.7

On the question,

Will the Senate agree to the amendment?

Senator LEWIS. Mr. President, this amendment stipulates that if a county initiates an earned-time program subsequent to the effective date of this act, the program will have to comply with the regulations that are developed by the Department of Corrections pursuant to the provisions of this act. What it, by implication, specifically provides for is that with respect to those counties that already have earned-time programs in place, the rules and regulations which they have already adopted will continue to be the ones under which they will operate their program.

Senator FISHER. Mr. President, as sponsor of the bill, I would agree to the amendment.

And the question recurring,

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 LEWIS, by unanimous consent, offered the following amendment No. A3229:

Amend Sec. 1 (Sec. 34.1), page 2, line 18, by inserting after "program": ; however, where an inmate meeting the minimum eligibility requirements has applied for participation in an earned time program and is denied admission because of a lack of space in the program, the inmate shall be allowed to earn a portion of the credit he would have earned had space been available. An inmate earning a portion of credit under this provision must exhibit good behavior and enter a program most nearly matching his need and request when space becomes available

On the question,

Will the Senate agree to the amendment?

Senator LEWIS. Mr. President, one of the eligibility requirements in the bill for participation in an earned-time program is for an inmate to apply for admission to one of a series of identified programs. I think this is a good provision but the practicality of its implementation has caused some concern to which the amendment speaks, and that is, in most of our institutions the available space in the identified programs is much less than the potential of the inmate population that could be available to apply for earned time. What the amendment says is that in those instances where an inmate would otherwise be eligible for an earned-time program and space in one of the identified programs is not available, he can still be included in an earned-time program.

Senator FISHER. Mr. President, I desire to interrogate the gentleman from Bucks, Senator Lewis.

The PRESIDENT. Will the gentleman from Bucks, Senator Lewis, permit himself to be interrogated?

Senator LEWIS. I will, Mr. President.

Senator FISHER. Mr. President, is it the intention by this amendment to retain in the bill the requirement that a person should participate in a rehabilitation, education or vocational program in order to get the earned-time credits?

Senator LEWIS. Mr. President, the answer emphatically and enthusiastically is yes. I believe these programs are enormously beneficial. My only regret is that we do not have more of them and more available space. So the answer to the gentleman's question is absolutely yes.

Senator FISHER. Mr. President, although at first blush when I looked at this amendment, I had some concern with it and indicated that to my caucus, I think with the clarification made by Senator Lewis on the record and with his explanation, the amendment is acceptable and I would agree to the amendment.

Senator LEWIS. Mr. President, I want to express my appreciation to the gentleman from Allegheny for his effort and his cooperation. I think that as we moved through the Committee on Judiciary hearings subsequent to the unfortunate events at Camp Hill, we have come to realize that there are many things which we must be attempting to do in order to solve the prison overcrowding problem, and the implementation of an earned-time program is one of them. I know many of us had concerns about the bill in its original form when it was reported from the Committee on Judiciary, and I think with the gentleman's cooperation and the adoption of these two amendments this earned-time bill now is something we can be proud of. I thank the gentleman for his cooperation

and look forward to supporting the bill on its final passage tomorrow.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT. Senate Bill No. 1067 will go over in its order, as amended.

LEGISLATIVE LEAVE CANCELLED

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

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 1070 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

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

NAYS—0

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

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

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

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

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

NAYS—0

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

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

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

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

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

NAYS—0

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

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

BILLS OVER IN ORDER

HB 1335 and 1774 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

LEGISLATIVE LEAVE CANCELLED

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

RECESS

Senator LOEPER. Mr. President, I would at this time ask for a very 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 meeting of the Committee on Rules and Executive Nominations to begin immediately, the Senate will stand in brief recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. As a special order of business, the Chair would announce that Senate Bill No. 41, which was reported out of committee today, will be held until tomorrow for further cosponsorships. Members of the Senate who wish to cosponsor Senate Bill No. 41, which was reported out of the Committee on Education today, should indicate that by memo to the Secretary of the Senate by tomorrow afternoon.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 202 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 266 (Pr. No. 1701) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, authorizing retirement credit for members of the Cadet Nurse Corps.

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

BILL ON SECOND CONSIDERATION

HB 491 (Pr. No. 2735) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the commencement of certain prosecutions.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 539 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 594 (Pr. No. 1687) — The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, changing and adding provisions relating to the selection of justices and judges.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 709 (Pr. No. 1700) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 23, 1945 (P. L. 913, No. 367), entitled, as amended, "Professional Engineers Registration Law," further providing for the regulation of the professions of engineering and land surveying.

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

BILL OVER IN ORDER

HB 709 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 848 (Pr. No. 944) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1988 (P. L. 1235, No. 151), entitled "Children's Trust Fund Act," providing for a surcharge on divorce complaints rather than divorce decrees.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

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

BILL ON SECOND CONSIDERATION

SB 895 (Pr. No. 1703) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Bernard C. Banks, Jr., a tract of land situate in Kingston Township, Luzerne County, Pennsylvania.

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

BILLS OVER IN ORDER

SB 933, 1013, 1152 and 1259 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 1307 (Pr. No. 1637) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P. L. 1005, No. 205), entitled "Municipal Pension Plan Funding Standard and Recovery Act," further providing for the financial requirements of the pension plan, the minimum obligation of the municipality and the allocation of general municipal pension system State aid.

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

BILL OVER IN ORDER

SB 1324 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 1332 (Pr. No. 1681) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the alteration of election districts; and conferring powers and duties upon county boards of elections and the Bureau of Commissions, Elections and Legislation.

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

BILL REREFERRED

SB 1333 (Pr. No. 1708) — The Senate proceeded to consideration of the bill, entitled:

An Act directing the Department of Corrections to study the feasibility of using underutilized or nonutilized State-owned buildings to house nonviolent offenders; and making an appropriation.

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

BILL ON SECOND CONSIDERATION

SB 1340 (Pr. No. 1692) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for consecutive sentences in certain aggravated assault cases and in cases involving assaults by prisoners.

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

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

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

MEMBER OF THE STATE BOARD OF COSMETOLOGY

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 7, 1989 for the appointment of Susan F. Smith (Public Member), P. O. Box 224, Lamont 16851, Centre County, THirty-fourth Senatorial District, as a member of the State Board of Cosmetology, to serve until March 14, 1992, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lisa A. Smith, Hanover, resigned.

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

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS, PHILADELPHIA COUNTY

November 20, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 27, 1989 for the appointment of Allan L. Tereshko, Esquire, 2613 East Lehigh Avenue, Philadelphia 19129, Philadelphia County, First Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1990, vice The Honorable Nicholas A. Cipriani, mandatory retirement.

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

ROBERT P. CASEY.

DISTRICT JUSTICE

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 7, 1989 for the appointment of Susan E. Murray,

Esquire, 406 Gayley Street, Apartment B-510, Media 19063, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-1-28, to serve until the first Monday of January, 1990, vice Joseph V. Gessler, resigned.

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

ROBERT P. CASEY.
DISTRICT JUSTICE

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 11, 1989 for the appointment of Sara R. Nichols, Esquire, 65 Devon Road, Paoli 19301, Chester County, Nineteenth Senatorial District, as District Justice in and for the County of Chester, Magisterial District 15-2-05, to serve until the first Monday of January, 1990, vice John R. Blackburn, Jr., resigned.

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

ROBERT P. CASEY.
NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

COMMUNICATIONS FROM THE GOVERNOR TAKEN FROM THE TABLE

Senator WILT called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

November 17, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 19, 1989 for the appointment of Thompson J. McCullough, 1395 Sleepy Hollow Road, York 17403, York County, Twenty-eighth Senatorial District, as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January, 1990, vice The Honorable John A. Rauhauser, mandatory retirement.

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

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

November 20, 1989.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 23, 1989 for the appointment of Arnold L. New, Esquire, 3421 Midvale Avenue, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1992, vice The Honorable Joseph P. Braig, resigned.

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

ROBERT P. CASEY.

NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator WILT,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas L. McGill, Jr., Esquire, 6748 Emlen Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1994, or until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 19, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Linda M. Weaver, 1401 Hillcrest Court, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1992, or until her successor is appointed and qualified, vice Alvin E. Echols, Esquire, Philadelphia, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

June 27, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Preston McMillian (Not Registered), 151 Phillip Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1990, and until his successor is appointed and qualified, vice Beatrice Goode, Easton, deceased.

ROBERT P. CASEY.

On the question,

Will the Senate advise and consent to the nominations?

QUESTION DIVIDED

Senator WILT. Mr. President, I request that the question be divided and that the nominations of Thomas McGill and Linda Weaver be considered separately from that of Preston McMillian.

On the question,

Will the Senate advise and consent to the nominations of Thomas L. McGill, Jr., Esquire and Linda M. Weaver as members of the Pennsylvania Human Relations Commission?

Senator STEWART. 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 STEWART. Mr. President, one of the nominees to the Human Relations Commission that the Governor sent over is a constituent of mine—Linda Weaver. It is my understanding, and I am not certain of this, that the Republican caucus has asked their Members for a "no" vote. It is also my understanding, in addition to your asking your caucus for a "no" vote on Linda Weaver as well as Thomas McGill, that should the Governor resubmit the name of Linda Weaver at a future date, you would be, at least at this point, disposed to vote favorably. Is that correct?

Senator LOEPER. Mr. President, it was not at the direction of the Majority Leader that the caucus determined that we were not going to vote in favor of these nominations. Rather, it was a consensus in our caucus that the people who were presently in place were doing a very outstanding job, and I can only comment as to those people before us today.

Senator STEWART. Mr. President, I have concluded my interrogation, and I would like to speak on the issue.

Mr. President, Linda Weaver's name has been over here for several months. She is currently on the twenty-fifth day as a nominee to the Pennsylvania Human Relations Commission. As most of the Members know, the Commission is structured in such a way that there are so many Republicans and so many Democrats to sit on this Commission. There was a Republican vacancy and the Governor saw fit to nominate a Republican from my district, not just a Republican from my district, but a rather unique one in that Linda Weaver is the Chief of Police of the City of Johnstown. I might add she is the first Chief of Police of a third-class city in this Commonwealth appointed to that position. She was also appointed by a Republican Mayor who was just reelected. I feel certain that she would fulfill this position with great integrity and energy, and I just do not understand, when the Governor saw fit to appoint a Republican of this stature, why there would be a negative vote from the other side. I would simply urge all of my colleagues to rethink their position and ask for an affirmative vote on Linda Weaver for the Pennsylvania Human Relations Commission.

Senator FATTAH. Mr. President, if it is in order, I just wanted to indicate, in terms of the nomination of Thomas McGill, that he is a distinguished Philadelphian and a Member of the Bar in the City of Philadelphia and I think he served well on the Human Relations Commission. I think that this Body would do well to confirm him and, if not today, at some later point for reappointment to the Board.

LEGISLATIVE LEAVE

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

The PRESIDENT. Is there an objection to temporary Capitol leave for Senator Corman? The Chair hears no objection. The leave will be granted.

Senator STAPLETON. Mr. President, I would ask for temporary Capitol leaves for Senator Mellow and Senator Lewis.

The PRESIDENT. Senator Stapleton requests temporary Capitol leave for Senator Mellow and Senator Lewis. The Chair hears no objection. Those leaves will be granted, as well.

And the question recurring,

Will the Senate advise and consent to the nominations?

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

YEAS—23

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

NAYS—27

Armstrong	Greenwood	Loeper	Salvatore
Baker	Helfrick	Madigan	Shaffer
Bell	Hess	Pecora	Shumaker
Brightbill	Holl	Peterson	Tilghman
Corman	Hopper	Punt	Wenger

Fisher	Jubelirer	Rhoades	Wilt
Greenleaf	Lemmond	Rocks	

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.

On the question,

Will the Senate advise and consent to the nomination of Preston McMillian as a member of the Northampton County Board of Assistance?

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

YEAS—50

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

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

SB 742 TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I move that Senate Bill No. 742, Printer's No. 1014, be taken from the table and placed on the Calendar.

The motion was agreed to.

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

UNFINISHED BUSINESS

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

JUDGE, COURT OF COMMON PLEAS, BUCKS COUNTY

September 20, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John J. Rufe, Esquire, 509 South Fifth Street, Perkasio 18944, Bucks County, Tenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Bucks County, to serve until the first Monday of January, 1992, vice The Honorable Paul R. Beckert, resigned.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

November 7, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas M. Nardo, D.M.D., 1504 Woodledge Circle, State College 16803, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1992, and until his successor is appointed and qualified, vice William A. Schreyer, Princeton, New Jersey, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

November 7, 1989.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William A. Schreyer, 117 Mercer Street, Princeton, New Jersey 08540, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1991, and until his successor is appointed and qualified, vice Samuel A. Breene, Esquire, Oil City, whose term expired.

ROBERT P. CASEY.

NOMINATIONS LAID ON THE TABLE

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

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

REPORTS FROM COMMITTEES

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

SB 134 (Pr. No. 1743) (Amended)

An Act providing for the regulation of health club contracts; and providing for further duties of the Bureau of Consumer Protection, the Attorney General and district attorneys.

SB 576 (Pr. No. 1705)

An Act providing for a Statewide emergency telephone number "911" system; providing for no-interest loans to help establish 911 emergency communication systems, for a referendum and for contributions from telephone subscribers; providing a penalty; and making a repeal.

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

HB 652 (Pr. No. 720)

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

RESOLUTION REPORTED FROM COMMITTEE

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

SR 119 (Pr. No. 1736)

A Resolution proclaiming November 30, 1989, as "St. Andrew's Day"; and honoring the many Pennsylvanians of Scottish heritage.

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

SENATE RESOLUTION

**RECOGNIZING THE VALUABLE
SERVICE PERFORMED BY HOME
HEALTH CARE AGENCIES**

Senator LOEPER, on behalf of Senator CORMAN and Senators PETERSON, WILLIAMS, MUSTO, ROCKS, GREENLEAF, JUBELIRER, PECORA, SHUMAKER, STOUT, REGOLI, SALVATORE, WENGER, REIBMAN, BAKER, PUNT, PORTERFIELD, O'PAKE, AFFLERBACH and FISHER offered the following resolution (**Senate Resolution No. 120**), which was read, considered and adopted:

In the Senate, November 28, 1989.

A RESOLUTION

Recognizing the valuable service performed by home health care agencies.

WHEREAS, Home health care is a vital health care service available to citizens of this Commonwealth; and

WHEREAS, Home health care services are given to patients regardless of their race, religion, nationality or ability to pay; and

WHEREAS, Home health services enable patients to be treated at home, thereby keeping family members together; and

WHEREAS, Home health care fosters more rapid recovery, earlier hospital discharge and reduced admissions to institutions; and

WHEREAS, Most persons prefer to remain with their families in the comfort and security of their homes; and

WHEREAS, The number and variety of treatments and therapies available to patients in their homes is increasing; and

WHEREAS, There is growing evidence that home health care is an economical means of treating patients; therefore be it

RESOLVED, That the Senate proclaim November 26 through December 2, 1989, as "Home Health Care Week" and ask the citizens of this Commonwealth to do likewise in recognition and appreciation of the valuable service provided by home health care agencies.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Rosario Rossillo and to Mr. and Mrs. Russell Morgan by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Eugene Snidemiller and to Robert Glowacki by Senator Andrezeski.

Congratulations of the Senate were extended to Mr. and Mrs. Bernard L. Lynch, Mr. and Mrs. Ferd L. Kolb, Mr. and Mrs. Harold T. Fries, Sr., Mr. and Mrs. Charles Curtis Burkins, Titus H. Brubaker, Sr., W. Michael Wolfe, Jr., Bessie U. Hayles and to Anna Mae Foehl by Senator Armstrong.

Congratulations of the Senate were extended to Saint Peter's Church of Great Valley by Senator Baker.

Congratulations of the Senate were extended to Trudy Giammaro and to James M. Tempero by Senator Belan.

Congratulations of the Senate were extended to Marie R. Pierce by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Kiray and to Mr. and Mrs. Guy F. Fabbazzi by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. George R. Barr, Mr. and Mrs. James G. Taylor, Mr. and Mrs. William Roe and to Patrick J. Hankinson by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Jack Marsh and to Mr. and Mrs. Charles M. Romanchuk by Senator Dawida.

Congratulations of the Senate were extended to Kent Tekulve by Senator Fisher.

Congratulations of the Senate were extended to Henry W. Hallowell III by Senator Greenleaf.

Congratulations of the Senate were extended to Edward Piranian by Senator Greenwood.

Congratulations of the Senate were extended to Mr. and Mrs. Edsel Hess, Mr. and Mrs. Woodrow W. Peifer, Mr. and Mrs. William Millington, Mr. and Mrs. Joseph D. Shukitt, Mr. and Mrs. Charles George, Sadie Johnson, Henry Hynoski, Matthew D. Romania, Jennifer M. Skiendzielewski, Brian Edward Shaffer and to Trinity Evangelical Congregational Church of Shamokin by Senator Helfrick.

Congratulations of the Senate were extended to Reverend Irvin A. Kittrell by Senator Hess.

Congratulations of the Senate were extended to Montgomery County Community College of Blue Bell by Senators Holl, Greenleaf and Tilghman.

Congratulations of the Senate were extended to Rachel Naomi Frownfelter Taylor by Senator Hopper.

Congratulations of the Senate were extended to Reverend Repsie M. Warren, William Randolph Hill, Bobbie C. Peek, Anthony Lewis, Barbara L. Jenkins, Emma Carolyn Chappell, Captain Al Lewis and to Reverend Dr. Joan Salmon Campbell by Senator Jones.

Congratulations of the Senate were extended to Mr. and Mrs. W. Stanley Bollman, Mr. and Mrs. Paul M. Ronk and to Mr. and Mrs. Allen Whetstone by Senator Jubelirer.

Congratulations of the Senate were extended to Helen Decker Blough and to Barbara Obelenus by Senator Lemmond.

Congratulations of the Senate were extended to Mary Belle Garbart and to Henrietta Edwards by Senator Lincoln.

Congratulations of the Senate were extended to Senator and Mrs. Clarence D. Bell by Senator Loeper.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Fitch and to Veterans Memorial Park of Towanda by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. James J. Ligi and to Anna Yusinski by Senator Mellow.

Congratulations of the Senate were extended to Francis D. Nelis by Senator O'Pake.

Congratulations of the Senate were extended to Josephine Mineo by Senator Peterson.

Congratulations of the Senate were extended to Gracian Korpanty and to Jean Palochik by Senator Regoli.

Congratulations of the Senate were extended to Ryan S. McCormick and to Jack Yohe by Senator Reibman.

Congratulations of the Senate were extended to Walter C. Morgan and to Joseph T. Cescon by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Roosevelt P. Scriven by Senator Rocks.

Congratulations of the Senate were extended to the Honorable Ernest D. Preate, Jr. by Senator Salvatore.

Congratulations of the Senate were extended to Leroy Shugar by Senators Salvatore and Rocks.

Congratulations of the Senate were extended to Bernard J. Kobosky by Senator Scanlon and others.

Congratulations of the Senate were extended to Mr. and Mrs. William Wallace, Mr. and Mrs. Melvin Fennell, Mr. and Mrs. John Oravec, Jr., Mr. and Mrs. Kenneth K. Wilkewitz, Mr. and Mrs. Michael A. Orlando, Mr. and Mrs. Claude Shidemantle, Mr. and Mrs. Mike Sutch, Mr. and Mrs. Bernard F. Burns, Mr. and Mrs. Harry J. Dillner, Sr., Mr. and Mrs. Dean E. Critchlow, Dennis Lynn Scott, Jr. and to Grace Evangelical Lutheran Church of Butler by Senator Shaffer.

Congratulations of the Senate were extended to Mr. and Mrs. Philip Costabile, Thelma Powers and to Robert A. Farina by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. Bernard Lott, Mr. and Mrs. John C. Wiggins, Mr. and Mrs. Omer W. Nichol, Mr. and Mrs. Walter LeRoy Ellenberger, Mr. and Mrs. Peter Letso, Mr. and Mrs. William K. Weaver, Mr. and Mrs. Curry Lee, Reverend and Mrs. J. Ernest Bauman, Mr. and Mrs. Dale J. Frick, Helen G. Stokes, John Alan Fabin, Charles Vedunas, Scott Guella, Devon Myers and to Margaret Rowland by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Ted Garbinski, Mr. and Mrs. Clifton Tharp, Mr. and Mrs. Stanley Essick, Mr. and Mrs. Joseph Horency, Mr. and

Mrs. Albert E. Taylor, Mr. and Mrs. Kenneth C. Conrad and to Mr. and Mrs. Leon Christinis by Senator Stout.

Congratulations of the Senate were extended to the Clean Water Fund of Philadelphia by Senator Tilghman.

Congratulations of the Senate were extended to Mr. and Mrs. Ford Williams by Senator Wilt.

BILLS ON FIRST CONSIDERATION

Senator BODACK. 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 41, 121, 1031, 1356 and HB 652.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, NOVEMBER 29, 1989

1:00 P.M.	EDUCATION (to consider State Board Regulations Chapter 14 and Department of Education Standards Chapter 342 (Special Education))	Room 461 Conference Room 4th Floor North Wing
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Committee Conference Room

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Wednesday, November 29, 1989, at 11:00 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 5:35 p.m., Eastern Standard Time.