

The PRESIDENT pro tempore. The resolution will be available at the desk for additional cosponsors.

And the question recurring,
Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

RECESS

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, once again I 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 immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT pro tempore. Senator Loeper has requested a meeting of the Committee on Rules and Executive Nominations in the Rules room at the rear of the Chamber. For that purpose, the Senate will stand in recess.

AFTER RECESS

The PRESIDENT pro tempore. The time of recess having expired, the Senate will come to order.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 282 (Pr. No. 1496) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "police officer"; further providing for buying or exchanging Federal food order coupons, stamps, authorization cards or access devices and for fraudulent traffic in food orders; prohibiting the operation of certain establishments; and providing for local option.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 282?

Senator LOEPER. Mr. President, I move that the Senate nonconcur in the amendments made by the House to Senate Bill No. 282, and that a Committee of Conference on the part of the Senate be appointed.

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

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Mr. President, I rise to make a brief comment in regard to the motion to nonconcur. Basically, I concur with the amendments that have been made by the House of Representatives to Senate Bill No. 282, three amendments, to my understanding. Of those three amendments, a

couple of them were very important, one of which pertains to and provides provisions for bottle clubs within municipalities. And when I say bottle clubs, I mean bring your own bottle clubs, places where liquor can be served where there is not a liquor license. There is a problem that has arisen throughout the Commonwealth and in my senatorial district that I believe one of these amendments begins to address, and I simply rise in support of that amendment. I do not know if the conference committee is intending to remove that amendment from this bill because it is, as I have heard, not germane to the bill, but I am hopeful and optimistic that the conference committee will consider keeping that amendment in the bill.

Basically and briefly, I simply want to say that clubs have arisen throughout the Commonwealth of Pennsylvania where alcohol is given away, not sold, is given away, and that has caused a problem in certain communities. It has caused the public to oppose some of these locations due to pornography, due to drug activity, due to various types of problems surrounding the establishments, and the amendment in this bill begins to address that problem. If, in fact, this amendment does not stay in the bill, I would simply hope that we find a vehicle or a way in some other piece of legislation, whether it is through the Crimes Code or through the Liquor Code, to begin to address this problem in the future.

Thank you, Mr. President.

And the question recurring,
Will the Senate agree to the motion?
The motion was agreed to.

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

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 31 -- Without objection, the bill was passed over in order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 284 (Pr. No. 1450) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing an exclusion from taxation of either a portion of the assessed value of homestead property or a portion of the assessed value of all real property.

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 PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I rise in support of Senate Bill No. 284, and I would like to urge my colleagues to

support it as well. This is probably the first vital step and it is an absolutely necessary step in a tedious process of finally achieving property tax relief for our people. This is, Mr. President, putting the horse before the cart, instead of the other way around. It is also important that our citizens understand the mechanics of what we are doing here and why a constitutional amendment to permit a homestead or a universal exemption must come first. This bill was introduced by the gentleman from Blair, Senator Jubelirer, in January as Senate Bill No. 344, and that bill is just nearly identical to the bill which I introduced, Senate Bill No. 352, in January as well. And except for a few added restrictions contained in Senator Jubelirer's measure, my bill and his bill are exactly alike, but the order of authorship, Mr. President, is not what is involved here. It is not important. What is important is that finally we are moving forward and hopefully this time on the same track.

Last Session the local tax reform train was derailed. It was derailed for good reason, and unless we are now prepared to accept the longstanding challenge of the gentleman from Westmoreland, Senator Porterfield, to totally eliminate local school property taxes with a fully State-supported system of finance for education, any meaningful property tax relief for our people requires and must be conditioned upon this constitutional change.

Now, last Session House Bill No. 2202 was defeated on a bipartisan vote, largely because it was not tied to the necessary alteration of our Constitution's uniformity clause. And as I said, it is important for our citizens to understand the necessity of what this constitutional change is all about. Very simply, without it and without a constitutional amendment to permit homeowners to be taxed differently than commercial establishments, the only available option for property tax relief under comprehensive reform would be through an across-the-board millage reduction. Now, while that may sound fair, Mr. President, such an across-the-board millage reduction is anything but fair. It is unfair because ordinary citizens and wage earners, those who would be asked under comprehensive reform to pay higher income and other taxes to replace lost revenue from the reduction in property taxes, would end up picking up the tab for a gigantic backdoor windfall tax break for the owners of large commercial establishments and those of palatial estates. The change in the Constitution, in order to permit our local jurisdictions the choice between a homestead or a universal extension, is the safeguard to prevent an estimated \$1.7 billion shift of the commercial property tax burden onto the backs of working men and women and their families.

And while I stand here today to tell you that I am certainly not opposed to economic development or responsible, above-board, and accountable business tax relief to create jobs, I am opposed to an unjustified and unwarranted big business tax break that shifts the burden of taxation on the very people, the homeowners and the senior citizens, whom we are really trying to help. This constitutional change is a must, Mr. President. It is something that many of us have long recognized as a vital ingredient to meaningful local tax reform. Now, while our people want relief from local property taxes now, it is important for us to stand up and be honest and do what is right. If

we enact local tax reform without the precondition of final approval of this, or a similar constitutional change, local tax reform will be a cruel hoax that could actually increase the average homeowner's tax bill to pay for a big business tax break. I do not think that is what we intend, Mr. President. I do not think that is what our citizens expect or deserve. We could achieve meaningful tax reform, but this constitutional amendment is certainly the critical first step.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEAS—47

Afflerbach	Greenleaf	Madigan	Shaffer
Andrezeski	Hart	Mellow	Stapleton
Belan	Heckler	Mowery	Stewart
Bell	Helfrick	Musto	Stout
Bodack	Holl	O'Pake	Tartaglione
Brightbill	Hughes	Peterson	Tilghman
Corman	Jones	Porterfield	Tomlinson
Dawida	Jubelirer	Punt	Uliana
Delp	Kasunic	Rhoades	Wagner
Fisher	LaValle	Robbins	Wenger
Fumo	Lemmond	Salvatore	Williams
Gerlach	Loeper	Schwartz	

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

SB 564 and HB 569 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 698 (Pr. No. 1205) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational aid for certain members of the Pennsylvania National Guard; and conferring powers and duties on the Adjutant General, the Department of Military Affairs and the Pennsylvania Higher Education Assistance Agency.

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 PRESIDENT pro tempore. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, I rise in support of Senate Bill No. 698, which will create an educational assistance