

# Legislative Journal

TUESDAY, AUGUST 23, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 64

## SENATE

Tuesday, August 23, 1977

The Senate met at 1:45 p.m., Eastern Daylight Saving Time.

The PRESIDENT (Lieutenant Governor Ernest P. Kline) in the Chair.

## PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK GRUEL, JR.:

May we have the mercy of God to forgive us.

The strength of God to make us resolute to do his will.

The grace of God to be kind and tender and affectionate one to another.

The patience of God to believe in the ultimate triumph of Thy kingdom on earth.

This we ask in His name in Whom all peace resides. Amen.

## JOURNAL APPROVED

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

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

## SENATOR NOLAN TO VOTE FOR SENATOR MELLOW, SENATOR STAPLETON AND SENATOR ZEMPRELLI

Senator NOLAN. Mr. President, I ask for a leave of absence for Senator Mellow, Senator Stapleton and Senator Zemprelli, who are on legislative business.

The PRESIDENT. Without objection, the request is granted.

## BILLS INTRODUCED AND REFERRED

Senator SCANLON presented to the Chair SB 1079, entitled:

An Act amending the act of January 10, 1968 (1967 P. L. 925, No. 417), entitled "Legislative Officers and Employees Law," further providing for compensation payable to officers and employees.

Which was committed to the Committee on Rules and Executive Nominations.

Senators HAGER, STAUFFER, JUBELIRER, MOORE, HESS, FLEMING, DWYER, GEKAS, HOPPER, KUSSE and

CORMAN presented to the Chair SB 1080, entitled:

An Act relating to the termination, furloughs or layoff of employees of the Commonwealth.

Which was committed to the Committee on State Government.

Senators SCHAEFFER, STAPLETON and SCANLON presented to the Chair SB 1081, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing provisions relating to arrest.

Which was committed to the Committee on Judiciary.

They also presented to the Chair SB 1082, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding a definition and changing provisions relating to the use of lamps.

Which was committed to the Committee on Transportation.

## SENATE CONCURRENT RESOLUTION

### RECESS ADJOURNMENT

Senator NOLAN offered the following resolution, which was read, considered and adopted:

In the Senate, August 23, 1977.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 26, 1977 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, September 26, 1977 unless sooner recalled by the Speaker of the House of Representatives.

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

## RECESS

Senator HAGER. Mr. President, I request a recess of the Senate until 1:55 p.m., for the purpose of holding a Republican caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:55 p.m., Eastern Daylight Saving Time.

## AFTER RECESS

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

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## SENATE CONCURS IN HOUSE AMENDMENTS

**SB 874 (Pr. No. 1276)** — Senator MESSINGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 874.

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

Senator KELLEY. Mr. President, without belaboring the substantive issues, I would like to call to the attention of my colleagues the fact that Senate Bill No. 874, presently before us, represents the disbursement of public moneys, the public moneys, however, being in receipt through the various acts of the Federal Congress.

Mr. President, I believe, with what has just been experienced by us as a Legislative Body in establishing a budget for the Commonwealth that, for the future consideration, the substantive contents of this bill and what it represents, it would be well for us to bear in mind that in future considerations and deliberations of composing a budget for the Commonwealth, we be able to give more scrutiny in simultaneously considering not only the revenues from the Commonwealth for general appropriations and nonpreferreds, but also having simultaneously in consideration those moneys flowing to the Commonwealth from the Federal government as represented in this and other programs. I have taken steps in this regard and I hope, in substance, this General Assembly will be considering a bill that will afford us that opportunity in the future.

Senator BELL. Mr. President, I am going to vote "yes" on this bill. It spends \$1.5 billion. However, there are pieces of this bill of which I do not approve. But it is the only bill before us. For instance, hidden in this bill is an inference to the State Police to cut back their expenditures by five per cent next year. They are already tremendously understaffed and undermanned. There are things like that scattered through this bill.

Mr. President, my voting "yes" for this bill is not to be interpreted as an approval of everything therein nor should it be interpreted that I am ready to vote for taxes.

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

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

## YEAS—41

Andrews,	Gurzenda,	McKinney,	Ross,
Arlene,	Hager,	Mellow,	Scanlon,
Bell,	Hess,	Messinger,	Schaefer,
Cianfrani,	Hopper,	Moore,	Smith,
Coppersmith,	Howard,	Murray,	Snyder,
Corman,	Jubelirer,	Nolan,	Stapleton,
Dougherty,	Kelley,	Noszka,	Stauffer,
Dwyer,	Kusse,	Orlando,	Stout,
Early,	Lewis,	Reibman,	Sweeney,
Fleming,	Manbeck,	Romanelli,	Zemprelli,
Gekas,			

## NAYS—1

Wood,

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

Ordered, That the Clerk inform the House of Representatives accordingly.

## SECOND CONSIDERATION CALENDAR

## BILL ON SECOND CONSIDERATION

**HB 1571 (Pr. No. 1892)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

## PERMISSION TO ADDRESS SENATE

Senator HOLL asked and obtained unanimous consent to address the Senate.

Senator HOLL. Mr. President, when the roll was called on Senate Bill No. 874 I was in the building and could not be on the floor to cast a vote. If I had been here, my vote would have been "yes" and I would like the record to show the same.

The PRESIDENT pro tempore. Your remarks shall be noted for the record, Senator.

## PERMISSION TO ADDRESS SENATE

Senator O'PAKE asked and obtained unanimous consent to address the Senate.

Senator O'PAKE. Mr. President, may the record show that I was also in the building when Senate Bill No. 874 was voted. Had I been on the floor and in my chair I would have voted in the affirmative.

The PRESIDENT pro tempore. Your remarks shall be so noted in the record, Senator.

## PERMISSION TO ADDRESS SENATE

Senator HILL asked and obtained unanimous consent to address the Senate.

Senator HILL. Mr. President, I would like the record to show that I arrived a few minutes late for the Session. I was here but I was under the misinformation as to when the Session was going to start and therefore missed it by a few minutes. Had I been here, I would have voted in the affirmative on Senate Bill No. 874.

The PRESIDENT pro tempore. The record will so indicate, Senator.

## PERMISSION TO ADDRESS SENATE

Senator HANKINS asked and obtained unanimous consent to address the Senate.

Senator HANKINS. Mr. President, I would like the record to show that I was a few minutes late getting to Harrisburg and into the Chamber, however, had I been here I would have voted in the affirmative on Senate Bill No. 874.

The PRESIDENT pro tempore. The record will so indicate, Senator.

**UNFINISHED BUSINESS****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. Harold Braddock, Mr. and Mrs. Paul F. Crow, Mr. and Mrs. Adis Clark Pollock, Mr. and Mrs. William Moniger and to Mr. and Mrs. Lawrence J. Sayre by Senator Stout.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, AUGUST 25, 1977

9:30 A.M. INSURANCE (Public Senate Majority

Hearing on Senate Bill  
No. 679)

Caucus Room

MONDAY, AUGUST 29, 1977

10:00 A.M. AGING AND YOUTH  
(Public Hearing on Sen-  
ate Bill No. 456)

Gold Room,  
City-County  
Bldg.,  
Pittsburgh

TUESDAY, AUGUST 30, 1977

10:00 A.M. AGING AND YOUTH  
(Public Hearing on Sen-  
ate Bill No. 809)

Gold Room,  
City-County  
Bldg.  
Pittsburgh

**ADJOURNMENT**

Senator MESSINGER. Mr. President, I move that the Senate do now adjourn until Wednesday, August 24, 1977, at 10:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 2:10 p.m., Eastern Daylight Saving Time.