

Legislative Journal

TUESDAY, APRIL 18, 1978

Session 1978

162nd of the General Assembly

Vol. 1, No. 24

SENATE

TUESDAY, April 18, 1978.

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

The PRESIDENT pro tempore (Martin L. Murray) in the Chair.

PRAYER

The Chaplain, the Reverend MELVIN FLOYD, Director of Neighborhood Crusades, Incorporated, Philadelphia, offered the following prayer:

May we bow for a word of prayer.

Eternal God, we bow before You this day in humble submission that we are weak but Thou art strong. We need Your strength in our daily lives. We need Your guidance as we make decisions affecting our homes, our families, our State and our Nation.

As a people, give us patience and love; give us more of Your grace. Teach us to number our days that we may apply our hearts to Thy wisdom. Go with each and every Member of this Senate. Give them that grace and wisdom that they make those kinds of decisions that would be pleasing in Thy sight. Continue to guide us by Thy Spirit in that which we do and say.

These and all other blessings we ask in the Name of the Father and of the Son and of the Holy Ghost. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. 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 MESSINGER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Senator MESSINGER asked and obtained leave of absence for Senator HANKINS, for today's Session.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and re-

ferred to the Committee on Rules and Executive Nominations.

MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 18, 1978.

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 Dr. Homer Lee Bowers, 1722 Goucher Street, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the State Board of Chiropractic Examiners, to serve until July 15, 1981, and until his successor is appointed and qualified, vice Dr. John C. Pammer, Jr., North Catasauqua, whose term expired.

MILTON J. SHAPP.

MEMBER OF THE STATE CIVIL SERVICE COMMISSION

April 18, 1978.

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 Mrs. Ethel Barnet (Democrat), 1607 North Tenth Street, Philadelphia 19122, Philadelphia County, First Senatorial District, for reappointment as a member of the State Civil Service Commission, to serve until April 9, 1984, and until her successor is appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE PENNSYLVANIA PUBLIC TELEVISION NETWORK COMMISSION

April 18, 1978.

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 the following for reappointment as members of the Pennsylvania Public Television Network Commission:

Andrew M. Bradley, 1100 North 16th Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, to serve until December 27, 1983, and until his successor shall have been appointed and qualified.

Frederick E. Leuschner, 129 Oak Park Circle, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, to serve until December 27, 1983, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP.

COMMONWEALTH TRUSTEE OF TEMPLE UNIVERSITY—OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

April 18, 1978.

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 Brian William Lindberg (Student), 15 Waverly Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District for appointment as Commonwealth Trustee of Temple University—of the Commonwealth System of Higher Education, to serve until October 14, 1978, and until his successor is appointed and qualified.

MILTON J. SHAPP.

TREASURER, LAWRENCE COUNTY

April 18, 1978.

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 Michael J. Angelo, 414 Park Avenue, New Castle 16101, Lawrence County, Twenty-first Senatorial District, for appointment as Treasurer in and for the County of Lawrence, to serve until the first Monday of January 1980, vice Cecil R. Potter, deceased.

MILTON J. SHAPP.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted Report of Committee of Conference on **HB 72**, which was placed on the Calendar.

BILLS SIGNED

The President pro tempore (Martin L. Murray) in the presence of the Senate signed the following bills:

SB 1106, 1304, HB 825, 1271 and 1277.

RESOLUTIONS REPORTED FROM COMMITTEE

Senator MESSINGER, from the Committee on Rules and Executive Nominations, reported without amendment, Senate Resolution, **Serial No. 94**, entitled:

Urging United States Postal Service to issue commemorative stamp honoring General Kazimierz Pulaski.

He also, from the Committee on Rules and Executive Nominations, reported with amendment, Senate Resolution, **Serial No. 75**, entitled:

Senate Committee to investigate thoroughbred horse racing in Pennsylvania.

The PRESIDENT pro tempore. The resolutions will be placed on the Calendar.

RESOLUTIONS REREFERRED

Senator MESSINGER, from the Committee on Rules and Executive Nominations, returned to the Senate, Senate Resolutions, **Serial Nos. 81, 82, 83, 84, 85 and 86**, which were rereferred to the Committee on State Government.

REPORTS FROM COMMITTEE

Senator REIBMAN, from the Committee on Education, reported, as committed, **SB 1416**; as amended, **SB 1217 and 1280**.

STATEMENT BY MAJORITY LEADER

Senator MESSINGER. Mr. President, I want to remind the lady from Northampton, Senator Reibman, that being helped by the Minority Leader does not require that she vote for him in November.

STATEMENT BY MINORITY LEADER

Senator HAGER. Mr. President, I would like to acknowledge, with thanks, the confidence of the Majority Leader that I will be the nominee in the fall. I sure hope it is true. I will enjoy working with everybody right through that, and then as Governor of the State.

The PRESIDENT pro tempore. It shows how hard the Minority Leader is working for support.

BILLS INTRODUCED AND REFERRED

Senators ROMANELLI and SCANLON presented to the Chair **SB 1440**, entitled:

An Act amending the act of October 20, 1966 (3rd Sp. Sess., P. L. 96, No. 6), entitled "Mental Health and Mental Retardation Act of 1966," transferring certain financial responsibilities from the county to the Commonwealth.

Which was committed to the Committee on Public Health and Welfare.

Senators O'PAKE, NOLAN, HOWARD, SWEENEY, FLEMING, LEWIS, DUFFIELD, ARLENE and LYNCH presented to the Chair **SB 1441**, entitled:

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as amended, "Senior Citizens Property Tax or Rent Rebate Act," further defining "claimant" and changing the rebate schedule.

Which was committed to the Committee on Aging and Youth.

Senator ZEMPRELLI presented to the Chair **SB 1442**, entitled:

An Act amending the act of December 5, 1936 (1937 2nd Sp. Sess., P. L. 2897, No. 1), entitled "Unemployment Compensation Law," excluding local authorities.

Which was committed to the Committee on Labor and Industry.

He also presented to the Chair **SB 1443**, entitled:

An Act providing for expunging of certain criminal records.

Which was committed to the Committee on Judiciary.

He also presented to the Chair **SB 1444**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania

Consolidated Statutes, further providing for motorized pedal-cycles.

Which was committed to the Committee on Transportation.

Senator DUFFIELD presented to the Chair **SB 1445**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for the rate of tax imposed on personal income.

Which was committed to the Committee on Finance.

Senators KUSSE, LYNCH and MANBECK presented to the Chair **SB 1446**, entitled:

An Act designating a certain bridge in Warren County as the "James Morrison Memorial Bridge."

Which was committed to the Committee on Transportation.

Senators ORLANDO, CORMAN, HAGER, ZEMPRELLI, KUSSE, HOPPER and FLEMING presented to the Chair **SB 1447**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for taxable income for corporate net income tax purposes.

Which was committed to the Committee on Finance.

Senators JUBELIRER, DOUGHERTY and CORMAN presented to the Chair **SB 1448**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," providing for general, municipal and primary election days to be legal holidays.

Which was committed to the Committee on Education.

Senators HAGER, KUSSE and CORMAN presented to the Chair **SB 1449**, entitled:

An Act making an appropriation from the Federal Revenue Sharing Trust Fund to the Department of Community Affairs for housing and redevelopment assistance.

Which was committed to the Committee on Appropriations.

RECESS

Senator MESSINGER. Mr. President, I request a recess of the Senate until 3:30 p.m., for the purpose of holding a Democratic caucus and a Republican caucus.

The PRESIDENT pro tempore. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 3:30 p.m., Eastern Standard Time.

AFTER RECESS

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROSS, by unanimous consent, from the Committee

on Rules and Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

April 10, 1978.

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 James J. Stumpf, Laurel Mountain Park, Laughlintown 15655, Westmoreland County, Thirty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Fish Commission, District Two, to serve until the second Tuesday of January, 1986, and until his successor is appointed and qualified.

MILTON J. SHAPP.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

April 10, 1978.

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 George Richard Mayo, 110 Chestnut Street, Berwick 18603, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 1979, and until his successor is appointed and qualified, vice Miss Doris J. Parker, Bloomsburg, resigned.

MILTON J. SHAPP.

MEMBER OF THE STATE BOARD OF EDUCATION

December 30, 1977.

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 the following for appointment as a member of the State Board of Education:

Mrs. Paulette Dejoie Johnson, 6807 Lincoln Drive, Philadelphia 19119, Philadelphia County, Thirty-sixth Senatorial District, to serve until October 1, 1983, and until her successor has been appointed and qualified, vice Mr. Gail L. Rose, Renfrew, whose term expired.

MILTON J. SHAPP.

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

April 6, 1978.

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 the following for appointment as a member of The Municipal Police Officers' Education and Training Commission:

Myron Bortnick (Member At Large), 1636 Rose Glen Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, to serve until February 21, 1981, and until his successor is appointed and qualified, vice Ms. Martha Sanders, Erie, whose term expired.

MILTON J. SHAPP.

**MEMBER OF THE STATE BOARD OF EXAMINERS OF
NURSING HOME ADMINISTRATORS**

February 17, 1978.

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 the following for appointment as a member of the State Board of Examiners of Nursing Home Administrators:

Mrs. Bertha Rozman Tunney, R.N. (Representative of Consumer), 124 Salem Church Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, to serve for a term of three years, and until her successor is appointed and qualified, pursuant to Act 23, July 8, 1977.

MILTON J. SHAPP.

MEMBER OF THE STATE PLANNING BOARD

March 17, 1978.

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 Harry A. Bailey, Jr., 11960 Dumont Road, Philadelphia 19116, Philadelphia County, Sixth Senatorial District, for appointment as a member of the State Planning Board, to serve until December 13, 1981, and until his successor is appointed and has qualified, vice George E. Yobe, Sharon, whose term expired.

MILTON J. SHAPP.

MEMBER OF THE STATE REAL ESTATE COMMISSION

January 19, 1978.

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 Samuel B. Saxton, 3446 Hampton Road, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Real Estate Commission, to serve until October 21, 1982, or until his successor has been appointed and qualified.

MILTON J. SHAPP.

**MEMBER OF THE BOARD OF TRUSTEES OF
SCRANTON STATE SCHOOL FOR THE DEAF**

March 13, 1978.

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 Paul L. Dapp, 2359 Hillside Avenue, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Board of Trustees of Scranton State School for the Deaf, to serve until the third Tuesday of January 1979, and until his successor is appointed and qualified vice Edward Popil, Scranton, resigned.

MILTON J. SHAPP.

**MEMBER OF THE BEDFORD COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 Jesse C. Gilson (Democrat), R. D. #1, Bedford 15222, Bedford County, Thirtieth

Senatorial District, for appointment as a member of the Bedford County Board of Assistance, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Almont Byron Wisegarver, Bedford, resigned.

MILTON J. SHAPP.

**MEMBERS OF THE BEDFORD COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Bedford County Board of Assistance:

Mrs. Dorothy H. Dixon (Democrat), 36 Ridge Avenue, Everett 15537, Bedford County, Thirtieth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Carlton T. Livengood (Republican), R. D. #4, Bedford 15537, Bedford County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

W. Wilson Martz, Jr. (Democrat), P. O. Box 293, Bedford 15222, Bedford County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 Mrs. Isabella Turchetta (Democrat), 3957 Sixth Street, Altoona 16601, Blair County, Thirtieth Senatorial District, for reappointment as a member of the Blair County Board of Assistance, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBERS OF THE BLAIR COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for appointment as members of the Blair County Board of Assistance:

Edward T. Giller (Republican), R. D. Manor Park, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Ms. Delores Lazar, Hollidaysburg, whose term expired.

Francis P. Trimble (Democrat), 1205 Fifteenth Avenue, Altoona 16601, Blair County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, to increase board membership.

Reverend Jay W. House (Democrat), 2713 Furnace Avenue, Altoona 16602, Blair County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, to increase board membership.

Reverend Monsignor Joseph M. Luddy (Democrat), Garvey Manor, Box 124, Logan Boulevard, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, to serve until December

31, 1980, and until his successor is duly appointed and qualified, to increase board membership.

Charles R. Harker (Democrat), P. O. Box 31, Newry 16665, Blair County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, to increase board membership.

MILTON J. SHAPP.

**MEMBERS OF THE BUTLER COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Butler County Board of Assistance:

John J. Morgan, Esquire (Democrat), 249 South Main Street, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Walter J. Dunlap (Republican), 217 American Avenue, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

David H. Steighner (Democrat), 145 Township Line Road, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Dr. William E. Wilson (Republican), 237 North Trail, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Ms. Renee Vivian Moyer (Democrat), Cliffside Apartments #5, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Dr. John E. Griffith, Jr. (Democrat), 731 Belmont Road, Butler 16001, Butler County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBERS OF THE CAMERON COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Cameron County Board of Assistance:

Mrs. Norma Gore (Democrat), Star Route, Box 13, Emporium 15834, Cameron County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Homer Picklesimer (Democrat), R.D. #1, Sizerville Road, Emporium 15834, Cameron County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBERS OF THE CENTRE COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Centre County Board of Assistance:

Mrs. Genevieve Robine (Democrat), R.D. #4, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Prudence Wolfe (Republican), East Main Street, Millheim 16854, Centre County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Margaret Ruth French (Democrat), 544 Kemmerer Road, State College 16801, Centre County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBER OF THE CLEARFIELD COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 Lonnie Moore (Republican), 210 Merrill Street, Clearfield 16830, Clearfield County Thirty-fourth Senatorial District, for appointment as a member of the Clearfield County Board of Assistance, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Donald R. Miksell, Esquire, Clearfield, Terminated-By-Law.

MILTON J. SHAPP.

**MEMBERS OF THE COLUMBIA COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following as members of the Columbia County Board of Assistance:

Ronald G. Coleman (Democrat), 110 Bisset Lane, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified. (Reappointment)

Miss Beverly Jane Michael (Democrat), R.D. #3, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified, vice Angelo P. Scheno, Bloomsburg, whose term expired.

MILTON J. SHAPP.

**MEMBER OF THE CRAWFORD COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 Bruce Clayton (Democrat), 296 Loomis Street, Meadville 16335, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Crawford County Board of Assistance, to serve until December 31, 1980, and until his successor is duly appointed and qualified, to increase membership of the board.

MILTON J. SHAPP.

**MEMBERS OF THE CRAWFORD COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for appointment as members of the Crawford County Board of Assistance:

Vincent Michael Mehalko (Democrat), 606 Washington Street, Conneautville 16406, Crawford County, Fiftieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Edward Ernest Sternby, Meadville, whose term expired.

Erwin J. Stanford (Republican), R.D. #3, Box 157, Cochran-ton 16314, Crawford County, Fiftieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Alfred Ward Stone, Meadville, whose term expired.

MILTON J. SHAPP.

**MEMBERS OF THE CUMBERLAND COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following as members of the Cumberland County Board of Assistance:

Mrs. Martha Slotten (Democrat), 22 North East Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified. (Reappointment)

Leonard Walter Sorensen (Republican), 711 Haldeman Boulevard, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified. (Reappointment)

MILTON J. SHAPP.

**MEMBER OF THE DELAWARE COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 Warren B. Candler (Democrat), 1106 East Eighth Street, Eddystone 19013, Delaware County, Ninth Senatorial District, for appointment as a member of the Delaware County Board of Assistance, to serve until December 31, 1979, and until his successor is duly appointed, and qualified, vice Ms. Jennifer Howells, Glen Mills, resigned.

MILTON J. SHAPP.

**MEMBERS OF THE DELAWARE COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Delaware County Board of Assistance:

Mrs. Gonzella J. Williams Hales (Democrat), 1415 Peterson Street, Chester Township 19013, Delaware County, Ninth Sen-

atorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Patricia D. Hunt (Democrat), 450 Bancroft Road, Moylan 19065, Delaware County, Ninth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Doris Loper (Republican), 326 Taylor Terrace, Chester 19013, Delaware County, Ninth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Mary M. Thomas (Republican), 419 Flower Street, Chester 19013, Delaware County, Ninth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE ELK COUNTY BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Elk County Board of Assistance:

Mrs. Elizabeth D. Simons (Democrat), Eschback Road, St. Marys 15857, Elk County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

William M. Bauer (Democrat), 206 Church Street, St. Marys 15857, Elk County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

**MEMBERS OF THE FOREST COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for appointment as members of the Forest County Board of Assistance:

Thomas J. Cathcart (Democrat), 106 Hemlock Street, Marienville 16239, Forest County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Mrs. Linda Thomas, Tionesta, whose term expired.

Mrs. Carolyn Pape (Democrat), Star Route #3, Tionesta 16353, Forest County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified, vice Ms. Martha Carll, whose term expired.

MILTON J. SHAPP.

**MEMBERS OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE**

March 31, 1978.

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 the following for reappointment as members of the Huntingdon County Board of Assistance:

Mrs. Mabel Dobbins (Democrat), R.D. Shirleysburg 17260, Huntingdon County, Thirtieth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

James W. Gutshall (Democrat), 1027 Mifflin Street, Hunting-

don 16652, Huntingdon County, Thirtieth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for appointment as members of the Lawrence County Board of Assistance:

Harry E. Karns (Democrat), 2406 Savannah Road, New Castle 16101, Lawrence County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Mrs. Mary Leonard, New Castle, whose term expired.

James J. Vessella (Democrat), 5 East Garfield Avenue, New Castle 16105, Lawrence County, Twenty-first Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Reverend Gordon D. Marks, New Castle, whose term expired.

MILTON J. SHAPP.

MEMBER OF THE LEBANON COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 Mrs. Olga M. Shattls (Democrat), 541 North Eighth Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Lebanon County Board of Assistance, to serve until December 31, 1980, and until her successor is duly appointed and qualified, vice Mrs. Barbara J. Broton, Lebanon, resigned.

MILTON J. SHAPP.

MEMBERS OF THE LEBANON COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Lebanon County Board of Assistance:

Miss Jeanne L. Anspach Ernshaw (Democrat), 323 South Eighth Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Miss Joyce A. Dissinger (Democrat), 991 Lilac Lane, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Charles Buchanio, Esquire (Democrat) 360 North 13th Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the McKean County Board of Assistance:

Thomas Edward Arrowsmith (Democrat), 9 Cole Avenue, Bradford 16701, McKean County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Mrs. Elizabeth Ann Enos (Democrat), 19 Bushnell Street, Bradford 16701, McKean County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE MIFFLIN COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Mifflin County Board of Assistance:

Robert J. Daley (Democrat), Burnham 17009, Mifflin County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Mrs. Charlotte A. Fisher (Democrat), 120 West Fourth Street, Lewistown 17044, Mifflin County, Thirty-fourth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBER OF THE MONTOUR COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 Mrs. Mary Ann Berkey (Democrat), 506 Church Street, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Montour County Board of Assistance, to serve until December 31, 1980, and until her successor is duly appointed and qualified, vice Mrs. Eleanor M. Klarsh, Danville, whose term expired.

MILTON J. SHAPP.

MEMBERS OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for appointment as members of the Northumberland County Board of Assistance:

Mrs. Suzanne Menapace (Democrat), 138 North Walnut Street, Mt. Carmel 17851, Northumberland County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified, to increase Board membership.

Myron Zarlinski (Democrat), 1530 Chestnut Street, Kulpmont 17834, Northumberland County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until his

successor is duly appointed and qualified, to increase Board membership.

MILTON J. SHAPP.

MEMBERS OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Northumberland County Board of Assistance:

Dr. John Baksi (Democrat), 216 North Street, Marion Heights 17832, Northumberland County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Joseph A. Carpentier (Democrat), 715 Chestnut Street, West, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE POTTER COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Potter County Board of Assistance:

Lowell Carpenter (Democrat), Ulysses 16948, Potter County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

John A. Duval (Republican), 108 Cartee Street, Coudersport 16915, Potter County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE SNYDER COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Snyder County Board of Assistance:

Percival Klinger (Democrat), R.D. #3, Middleburg 17842, Snyder County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Ms. Lorenah Catherine Mutschler (Democrat), 304 Grant Street, Middleburg 17842, Snyder County, Twenty-seventh Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBER OF THE SOMERSET COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 Frank Naret (Democrat), R.D. #1, Central City 15926, Somerset County, Thirtieth Senatorial District, for appointment as a member of the Somerset County Board of Assistance, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice James F. Mihelcic, Central City, resigned.

MILTON J. SHAPP.

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 Mrs. Catherine J. Fregley (Democrat), R.D. #3, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for reappointment as a member of the Union County Board of Assistance, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE VENANGO COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Venango County Board of Assistance:

Miss Marion L. Kauffman (Republican), 320 West Third Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Ms. Isabell R. Findlan (Democrat), 517 Twelfth Street, Franklin 16323, Venango County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Mrs. Sharon Helck (Democrat), 7 Vo-Tech Drive, Oil City 16301, Venango County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE WARREN COUNTY
BOARD OF ASSISTANCE

March 31, 1978.

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 the following for reappointment as members of the Warren County Board of Assistance:

Peter N. Bleech (Democrat), R.D. #1, Keenan Street, Clarendon 16313, Warren County, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified, vice Ross K. Weigel, Sheffield, whose term expired.

Mrs. Barbara K. Cox (Democrat), 106 Franklin Street, Warren 16365, Twenty-fifth Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified, vice Mrs. Linda R. Hessley, Warren, whose term expired.

MILTON J. SHAPP.

DISTRICT JUSTICE OF THE PEACE

April 10, 1978.

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 Raymond E. Tubbs, 12001 North Street, North Huntingdon 15642, Westmoreland County, Forty-fifth Senatorial District, for appointment as District Justice of the Peace, in and for the County of Westmoreland, Class 2, District 09, to serve until the first Monday of January, 1980, vice Floyd R. Warren, North Huntingdon, resigned.

MILTON J. SHAPP.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROSS,

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.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Senator ROSS asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATION TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for Paul L. Dapp, as a member of the Board of Trustees of Scranton State School for the Deaf, which requires a majority vote.

On the question,
Will the Senate advise and consent to the nomination?

Senator MELLOW. Mr. President, without getting involved as to the merits, I would like the Members to know that I am totally opposed to this nomination and ask for a roll call vote.

Senator HAGER. Mr. President, I would just like the Members to know that this nominee was once before nominated by the Governor and at that time, also, the gentleman from Lackawanna, Senator Mellow, asked for a negative vote. I knew nothing about the matter then. I do know this man. He is, so far as I can tell, a Democrat. He is a person who has a child who went through this school. He has indicated some interest in it. The Governor has twice appointed him.

I would like to ask the Members to consider him on his merits, Mr. President.

Senator MELLOW. Mr. President, I think it is only fair to point out that I realize we have some very important issues to discuss today, but I think it is also fair that the Members of the Senate should know that when the child of the gentleman whose name is in question attended the Scranton State School for the Deaf, he joined with several other parents in bringing a lawsuit against the members of the board of the Scranton State School for the Deaf—I am not really sure if that lawsuit has even been disposed of—plus the fact there are other problems right now, dealing with it.

Mr. President, this is important because we are dealing with one of our better institutions in the State and they have had a problem. I believe until some of the problems of this institution are worked out through the Governor's office, we should refrain from adding anybody to the board of directors at the Pennsylvania State School for the Deaf.

Mr. President, I would ask for a negative vote.

And the question recurring,
Will the Senate advise and consent to the nomination?

(During the calling of the roll, the following occurred:)

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

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

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

YEAS—20

Andrews,	Dwyer,	Holl,	Manbeck,
Bell,	Fleming,	Hopper,	Moore,
Corman,	Gekas,	Howard,	Snyder,
Dougherty,	Hager,	Jubelirer,	Stauffer,
Duffield,	Hess,	Kusse,	Tilghman,

NAYS—28

Arlene,	Lewis,	Nolan,	Scanlon,
Coppersmith,	Lynch,	Noszka,	Schaefer,
Early,	McCormack,	O'Pake,	Smith,
Fumo,	McKinney,	Orlando,	Stapleton,
Gurzenda,	Mellow,	Reibman,	Stout,
Kelley,	Messinger,	Romanelli,	Sweeney,
Kury,	Murray,	Ross,	Zemprelli,

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.

RECONSIDERATION OF EXECUTIVE NOMINATION OF PAUL L. DAPP

NOMINATION LAID ON THE TABLE

Senator HAGER. Mr. President, I move that the Senate do now reconsider the vote by which the nomination of Paul L. Dapp, as a member of the Board of Trustees of Scranton State School for the Deaf, was just defeated.

Senator TILGHMAN. Mr. President, I second the motion.

The motion was agreed to.

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

NOMINATIONS LAID ON THE TABLE

Senator ROSS. Mr. President, I request that the names of James J. Stumpf, as a member of the Pennsylvania Fish Commission; Myron Bortnicker, as a member of The Municipal Police Officers' Education and Training Commission; and Warren B. Candler, Mrs. Gonzella J. Williams Hales, Mrs. Patricia D. Hunt, Mrs. Doris Loper and Mrs. Mary M. Thomas, as members of the Delaware County Board of Assistance, be laid on the table.

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

NOMINATIONS TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the remainder of the nominations reported from committee today and previously read by the Clerk, which require a majority vote.

On the question,
Will the Senate advise and consent to the nominations?

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

YEAS—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

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.

NOMINATION TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the nomination of Donald M. Rowan, as a member of the Pennsylvania Turnpike Commission, which requires a two-thirds vote.

This nomination was previously laid on the table April 11, 1978.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

March 17, 1978.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald M. Rowan, Heckscherville 17937, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve until June 4, 1987, and until his successor is appointed and qualified, vice Ray M. Bollinger, Richland, whose term expired.

MILTON J. SHAPP.

On the question,
Will the Senate advise and consent to the nomination?

Senator NOLAN. Mr. President, the nominee has been to every Senator's office, appeared before the committee, presented himself well and answered all the questions put to him. We would like to point out that the Turnpike Commission

at the present time is short two members. We can no longer play games with appointments to the Turnpike Commission.

We believe this man is very well qualified and we would like, at this time, to see the confirmation of this man to the Turnpike Commission. I would hate to think that there is a possibility that he is not going to be confirmed. We went through that with the last name proposed by the Governor which was withdrawn twice and then finally withdrawn.

I hear some rumors that there is a possibility that Mr. Rowan is not to go to be confirmed today. I believe we should give very serious thoughts to his qualifications and the fact that he has been around to see us all, presented himself well and answered all the questions.

Mr. President, we should vote to confirm this nominee.

Senator BELL. Mr. President, I was present two times when Mr. Rowan appeared and both times I told the gentleman I was going to vote against his confirmation, not because of any of his personal attributes but because I felt it was time for the Turnpike Commission to get appointees other than people who have been working purely in political leadership, political patronage fields.

At the present time there is one vacancy. Mr. Bollinger is still on the Turnpike Commission. He came from the Governor's patronage office as a Republican. Peter Camiel came to the Turnpike Commission as the Democratic Chairman of Philadelphia. William Meehan, who left the Turnpike Commission was a former Republican leader of Philadelphia. I do not believe people in Pennsylvania today are content that important commissions in this State should be filled by people whose only qualifications are, in the words of Mr. Rowan, "I work hard," and whose background is in the office of patronage of the Governor.

The gentleman just yesterday said, "No, I am not an engineer or a road builder," but what he is is a person very active in politics whose chief attribute is the fact that he processes patronage in the Shapp Administration.

The people of Pennsylvania deserve better than that. The people of Pennsylvania deserve specialists. The people of Pennsylvania deserve people on that Turnpike Commission who will produce the type of decisions now being produced. I am speaking specifically of what took place yesterday. The gentleman told us that the Turnpike Commission this year is operating at a profit; yet, within several weeks I predict, maybe around July 1st, the people of Pennsylvania are going to be faced with a twelve per cent increase on Turnpike tolls. This is what galls me. I read in the newspapers—I know sometimes you cannot believe them—that the short runs on the Turnpike in the Philadelphia area are going to have a minimum charge of fifty cents per trip. I asked the gentleman yesterday if this is true. He did not know. However, the fact that a person getting on the Turnpike, starting in Pennsylvania and ending in Pennsylvania, say from West Shore to East Shore, or from Valley Forge to a nearby interchange, faces a minimum charge of fifty cents instead of ten or fifteen cents. That is so the interstate truckers can roll through.

I say this is not the type people we should have on the commission; nor should we have on it what was admitted yesterday,

people, the political ties of whom I have explained, who are going to ram through twelve per cent Turnpike rate increases on users of the Turnpike today for construction that will not be available for three years. I asked why this was being done. I believe the gentleman admitted it was so they would not have to borrow on bonds, because the bond issue would have to come to this Legislature and this Legislature is in no mood today to vote a twelve per cent increase on Turnpike tolls on our people when the Turnpike is already operating at a profit.

Senator ROMANELLI. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bell.

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

Senator BELL. I will, Mr. President.

Senator ROMANELLI. Mr. President, I wonder if the gentleman from Delaware, Senator Bell, would rather have the situation in which the Pennsylvania Department of Transportation finds itself today with bond financing for construction, where \$200 million of the liquid fuels tax goes, just to satisfy that debt when that \$200 million should be going to pay for the repair and renewal of roads in this State? That is why we are in trouble at PennDOT because of deficit financing through bonds. He is an attorney, he should know better.

Senator BELL. Mr. President, may I answer the question?

Senator ROMANELLI. I am not finished, Mr. President.

Senator BELL. Mr. President, I do know better. That is why I want to answer the question.

Senator ROMANELLI. Mr. President, a user's tax, in my estimation, is the broadest based tax and the fairest tax that should ever or could ever be imposed.

I would like to speak to the nomination and the appointment of Mr. Rowan to the Turnpike Commission.

The PRESIDENT pro tempore. Is the gentleman finished interrogating Senator Bell?

Senator ROMANELLI. Yes, I am, Mr. President.

Senator BELL. I would like to answer the question, Mr. President.

Mr. President, when the gentleman's constituents come to him, who are presently paying ten and fifteen cents between interchanges and they ask why they are paying fifty cents, he can tell them the user's tax is the best; because, by using the Turnpike right here in the Harrisburg area, people getting on at the West Shore and getting off on the East Shore, they are then not clogging up the local streets.

As to the building of roads by bond issues, the gentleman from Allegheny County would not be able to drive on any major road in Pennsylvania if it had not been built by bonds. The same is true when the people of Pennsylvania do not go in and pay 100 per cent when they purchase a house. When they make capital expenditure, they use mortgages secured by a bonded indebtedness and mortgage. This is the way America does with capital construction and I say the present Administration is wrong to insist that all construction of capital items today be paid out of taxes imposed on the users of today.

Senator ROMANELLI. Mr. President, I will not even bother to answer that. I would just like to speak to the appointment of Mr. Rowan to the Turnpike Commission.

As a member of the Committee on Transportation, I sat in on those hearings and I feel that the gentleman is eminently qualified for the job because of his background.

I specifically asked Mr. Rowan if he had anything in his background of a legal nature, a problem, is he under investigation, and the answer was "no." There was a line of questioning that was conducted in the hearing before the Committee on Transportation of Mr. Rowan, trying to embarrass him because of his position and where he works.

His background and qualifications are on every Senator's desk and the gentleman from Delaware, Senator Bell, is wrong in saying the only job he has ever had was in a patronage office. He has insurance background, he has a knowledge of insurance which would be very important to the Turnpike Commission; he has a knowledge of personnel and in the hiring of personnel. That will be very important to the Turnpike Commission so that we get the best possible qualified people to fill those jobs. There are some 5,000 or 6,000 jobs, I would imagine, under the charge of the Turnpike Commission, working on that Turnpike.

A man with his background, I feel, is necessary on that Turnpike Commission. He is qualified for the job and again, I specifically asked him as to his background as far as arrests or investigations are concerned. That was the concern of the prior person being shot down.

We really know what the reason is here. There is a gubernatorial election afoot and my colleagues on the other side of the aisle feel—some of them, not all of them I hope—if they keep this job open, in five or six months they will be able to make that appointment. I feel that the vacancies are here and we should fill them. The man is eminently qualified for the job.

Senator FUMO. Mr. President, I rise to speak on behalf of Mr. Rowan's nomination. More importantly I rise to address myself to the remarks made by the gentleman from Delaware, Senator Bell, and the general position which the other side of the aisle is taking on this nomination.

I feel it is a disgrace to use the smokescreen of Turnpike fare increases to deny Mr. Rowan his seat on the Turnpike Commission. What we are really talking about here is politics, pure and simple, and I resent that. I believe the position of the gentleman from Delaware, Senator Bell, that we should not have people who are political in these positions is ludicrous. I think we have gone too far. Political people and people in politics and government are not second class citizens, and I do not intend to add to that stigma by voting that way.

I believe what the gentleman from Allegheny, Senator Romanelli, said is very true. The feeling is, if you preserve a position in the hope that the other side of the aisle will win the gubernatorial election—which I will not comment on—they would then have the appointment. I believe that is what this is all about. If that is what it is, let us say that is what it is; let us vote that way rather than try to hide behind a smokescreen about fare increases on the Turnpike which we do not even control.

I feel it is wrong to say there is something wrong with Mr. Rowan when he admits he did not know the answer to a question. I think that takes some courage.

Senator HAGER. Mr. President, there is some understanding

in excusing the statement of the gentleman from Philadelphia, Senator Fumo, who was not here the last time a nominee came before this Body for a ten-year appointment. For those others who are accusing the Republican caucus of making this decision in the hope that a Republican will be elected Governor, let me remind all of you that just a few short weeks ago the name of W. Wilson Goode came before this Body for appointment to the Public Utility Commission. He, as I recall, received every Republican vote for a ten-year appointment to the Public Utility Commission.

So far as I can tell and so far as all the conversations which were held anywhere within my hearing, including the caucus room, that reason which has just been attributed to us by the gentleman from Philadelphia, Senator Fumo, was made up entirely out of whole cloth. That has never been said, either in caucus or out, with regard to this nomination.

Senator BELL. Mr. President, I am glad the gentleman from Philadelphia, Senator Fumo, emphasized and now permits me to emphasize what I said at first. The history of the Pennsylvania Turnpike Commission is not happy because it shows it has been the policy of this Commonwealth to have people who specialize in patronage, political employment, as members of this important commission.

I said when I started, and I will say as I end, the people of Pennsylvania deserve far better qualified Turnpike Commissioners than those whose prime qualification is handling political patronage.

Senator DUFFIELD. Mr. President, I would like to add my two bits to this. It is sort of grueling to get up and say, "I have nothing against the gentleman. He is a fine man; he has a good background, but, for certain reasons I will not vote for him." What are the necessary qualifications for a Turnpike Commissioner? As far as I know, they meet a few times a month to make policies. If we want to go out and get somebody to fill potholes, I do not feel we need a Turnpike Commissioner with qualifications as a pothole filler.

For a salary of \$15,000 per year we will not get a qualified man in any specialized field to accept a position of this sort. By specialized field I mean we will not get a chief engineer from U.S. Steel, if an engineer is wanted. I do not know if that is preferable. If we want an accountant, we will not get an accountant from one of our major industries, if that is to be considered as a qualification.

In other words, the position of Turnpike Commissioner is a person whom I feel does not have to have any specialty. He does not have to know how to build roads because he is not going to go out and build them. He must be a man of general good sense, average good intelligence and a good rounded background.

After all, this job pays \$15,000 per year. You could get the greatest roadbuilder in the country and he would not take it for less than \$150,000 per year. Let us face what we are doing here. We are appointing a man to the Turnpike Commission at a salary of \$15,000.

When we degrade a man because he has government experience and because he is a politician, why are we here? The gentleman from Delaware, Senator Bell, has probably been in politics longer than some of us. We do not go out and say he is a

politician and he is not an authority on this or that. As stated by the gentleman from Philadelphia, Senator Fumo, and the gentleman from Allegheny, Senator Romanelli, that is just a crutch.

I vote for all the appointments sent over by the Governor unless there is something which I feel is morally wrong with them or they are completely unqualified. I have heard nothing against this gentleman. I do not even know him. I met him the other day. I am not bleeding for him but I do not like to see these names come over here and then give good men the stigma and disgrace of being knocked down on the Senate floor although we admit they are good men, they have good qualification, but . . . What qualifications do we need for a Turnpike Commissioner? I have never seen any standard set up and I am darn sure the other side of the aisle fired them as soon as they came in office. Bill Scranton was the biggest hatchet man of all. They talk pious now because they are out of office.

I am getting sick and tired of the Republican Party worrying about qualifications and worrying about security in government when the biggest stinking years we ever had—we are paying for highways today under bond issues where they spent billions of dollars under the Scranton and Shafer Administrations and we do not even have enough money to fill potholes today. That is the trouble with government. Why are they so righteous today when they are out of office? We can remember the glory days when they took their political contributions and every Republican county chairman and every Democratic county chairman played the same game. Three per cent of their money had to be put up to get anything. Now they speak with the pontificality of a disciple. I just do not like them crucifying good men whose names come over as nominees because they are not qualified on certain lines and so forth. Yet, they do not come out and specifically say it.

It is like the old German gestapo: They nail a person guilty by association. I do not believe in guilt by association. Here is a man's name before us for Turnpike Commissioner. As far as I know—and I have not heard anything to the contrary—he is a decent individual. He served his country which a lot of people are too yellow to do. He is a married man with a family so we are disgracing him because he served in government which I think is one of the biggest bunches of hogwash there ever was.

The British Civil Service builds up their people in government by service year after year. Therefore, I hate to see repeated efforts, by playing politics, by turning down and blackening people's names. It is a scar against a person if he is turned down by the Senate. There is no question about it. It is a blemish on his record.

Why do they not exercise a little Christianity and charity and try not to hurt people? There is laughing about this. All I am asking is fairness. Now, if that is funny, if fairness and understanding toward individuals is a laughing matter, that is symbolic of what we are going through today.

Again I say, we have a decent man before us. I heard no criticism as to him. He is a good man. Why do we keep tarring and feathering these people whose names are sent to us just because they may know someone in the Governor's Office? To me that is an idiotic way of deciding these things. I would

hate for my name to come over here for appointment.

Senator MANBECK. Mr. President, I desire to interrogate the gentleman from Fayette, Senator Duffield.

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

Senator DUFFIELD. I will, Mr. President.

Senator MANBECK. Mr. President, I have no intention of becoming involved in the debate on whether the man is qualified or unqualified. However, the previous speaker made a statement about the Scranton and Shafer Administrations spending all the money and now there is no money to fill the potholes.

I would like to ask him if he knows what the cost of the debt service was in 1970?

Senator DUFFIELD. The cost of what debt, Mr. President?

Senator MANBECK. Mr. President, the debt service of the Commonwealth of Pennsylvania.

Senator DUFFIELD. No, Mr. President, I do not know what the cost was in 1970. I know what it is today and I understand it escalates as the debt grows older.

Senator MANBECK. Mr. President, the reason for the debt service escalating is due to the additional sale of bonds to construct highways. Is that correct?

Senator DUFFIELD. Mr. President, the reason for the debt service is the sale of bonds to construct highways, yes.

Senator MANBECK. Mr. President, I asked the gentleman what the amount of the debt service was in 1970.

Senator DUFFIELD. Mr. President, does the gentleman mean the total bonded indebtedness or the debt service?

Senator MANBECK. Mr. President, the debt service is the amount of money a person must pay to pay off the obligation on the bonds plus the interest.

Senator DUFFIELD. Mr. President, I do not know but I would assume it is much higher today because, under the rate of repayments on the bonded indebtedness, there was an escalation clause as the years went on, and we pay more and more. It is now more than \$200 million a year we must pay. That is going to escalate to a much higher figure, somewhere near \$300 million, if we sell no more bonds at all. If we build no more highways the schedule of the debt service is going to increase as the years go on.

Senator MANBECK. Mr. President, is the gentleman telling me there is a clause in the bonds which have been sold which states that when they were sold, the interest rate can escalate?

Senator DUFFIELD. Mr. President, as I understand it in reading the reports from the Department of Transportation and the Highway Commission, of which the gentleman is a member, if we do not build another inch of highway, if we do not float another bond, next year, the year after that and the year after that, our debt service is going to increase. It is not a steady figure.

Senator MANBECK. Mr. President, that is not quite the way it is.

Senator DUFFIELD. Mr. President, I believe the gentleman has had more experience in this than I have. Therefore, I will be glad to have the gentleman educate me.

The PRESIDENT pro tempore. I would suggest to Senator

Manbeck and Senator Duffield that this has nothing to do with the gentleman under consideration for the Turnpike Commission.

Senator MANBECK. May I go on, Mr. President?

The PRESIDENT pro tempore. Continue, Senator.

Senator MANBECK. Mr. President, I stated before that I did not want to become involved in the qualifications of the person who is up for consideration as Turnpike Commissioner. However, I do believe that I have a right to defend the previous Administrations when the previous speaker made the statement that because of the money that was spent, the Commonwealth of Pennsylvania was deeply in debt.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEAS—29

- | | | | |
|--------------|------------|------------|------------|
| Arlene, | Lewis, | Nolan, | Scanlon, |
| Coppersmith, | Lynch, | Noszka, | Schaefer, |
| Duffield, | McCormack, | O'Pake, | Smith, |
| Early, | McKinney, | Orlando, | Stapleton, |
| Fumo, | Mellow, | Reibman, | Stout, |
| Gurzenda, | Messinger, | Romanelli, | Sweeney, |
| Kelley, | Murray, | Ross, | Zemprelli, |
| Kury, | | | |

NAYS—19

- | | | | |
|------------|----------|------------|-----------|
| Andrews, | Fleming, | Hopper, | Moore, |
| Bell, | Gekas, | Howard, | Snyder, |
| Corman, | Hager, | Jubelirer, | Stauffer, |
| Dougherty, | Hess, | Kusse, | Tilghman, |
| Dwyer, | Holl, | Manbeck, | |

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

Ordered, That the Governor be informed accordingly.

RECONSIDERATION OF EXECUTIVE NOMINATION OF DONALD M. ROWAN

NOMINATION LAID ON THE TABLE

Senator MELLOW. Mr. President, I move that the Senate do now reconsider the vote by which the nomination of Donald M. Rowan, as a member of the Pennsylvania Turnpike Commission, was just defeated.

Senator ROMANELLI. Mr. President, I second the motion.

The motion was agreed to.

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

NOMINATION TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the nomination of Joseph L. Cimino, as a member of the State Athletic Commission, which requires a majority vote.

This nomination was previously laid on the table April 4, 1978.

The Clerk read the nomination as follows:

MEMBER OF THE STATE ATHLETIC COMMISSION

March 28, 1978.

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 the following for re-appointment as a member of the State Athletic Commission:

Joseph L. Cimino, 1234 Love Street, Pittsburgh 15218, Allegheny County, Forty-third Senatorial District, to serve for the term of two years, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP.

On the question,

Will the Senate advise and consent to the nomination?

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

YEAS—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

Orderd, That the Governor, be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CALENDAR

HB 1649 CALLED UP OUT OF ORDER

HB 1649 (Pr. No. 3035) — Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1649 (Pr. No. 3035) — 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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

HB 2030 CALLED UP OUT OF ORDER

HB 2030 (Pr. No. 2692) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2030 (Pr. No. 2692) — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Smith.

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

Senator SMITH. I will, Mr. President.

Senator KELLEY. Mr. President, during the course of the last month, on a number of occasions, we have had bills before us that would put us into a deficit as far as appropriations go. The last report I had from the Committee on Appropriations was that we had a \$12,000 surplus. Since then, as late as yesterday, we have made some appropriations.

I am inquiring now as to what the present status is of the General Fund of the Commonwealth, right now before we consider House Bill No. 2030, as far as whether or not we have appropriated greater amounts than anticipated revenues or less than and, if so, how much?

Senator SMITH. Mr. President, knowing the professionalism of the gentleman, the Committee on Appropriations had asked the Secretary of the Budget to give to the chairman all unappropriated moneys or lapsed moneys that he had since January 1, 1978.

At this moment in time, Mr. President, we have \$679,000 available as unappropriated moneys.

Senator KELLEY. Mr. President, would the gentleman be so kind as to transmit to all Members of this Senate the documen-

tation which would specifically outline the identification of the various categories of that \$679,000 when he receives it from the Budget Office?

Senator SMITH. Mr. President, I received it as of 10:00 o'clock this morning. We have other copies. I will now hand it to the gentleman.

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

The PRESIDING OFFICER (H. Craig Lewis) in the Chair.

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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

HB 2043 CALLED UP OUT OF ORDER

HB 2043 (Pr. No. 3073) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2043 (Pr. No. 3073) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Smith.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Senator Smith, permit himself to be interrogated?

Senator SMITH. I will, Mr. President.

Senator KELLEY. Mr. President, as I understand it, this bill is a supplement amending what was Senate Bill No. 874, which was passed by the Senate last year. Is that correct?

Senator SMITH. That is correct, Mr. President.

Senator KELLEY. Mr. President, in the bill which is being amended, Senate Bill No. 874, there were certain sections, Sec-

tions 9, 10, 11, 12 and 13, which mandated various departments, branches and agencies of the Commonwealth to submit to the Members of the General Assembly projections for a five per cent decrease in their operational funds for the fiscal year 1978-79.

Would the gentleman indicate whether or not he has received, in compliance therewith, such requirements under each and every department, bureau or agency and commission as so indicated?

Senator SMITH. Mr. President, I have received such information and it is on file in my office. I would say to the gentleman that the agencies have offered a five per cent reduction. It is in those sensitive areas, as a bureaucrat would naturally do, that we could not touch.

I am rather embarrassed to say to the Senator that there was just no way that we could follow through and reduce as they had asked us to do.

Senator KELLEY. I thank the gentleman.

Do I understand the answer, Mr. President, to be that each and every unit that was required by Act 12-A in 1977, which was Senate Bill No. 874, to file such projection did so?

Senator SMITH. Mr. President, they did. We can bring down to the floor the projections as given by each department and bureau.

Senator KELLEY. I thank the gentleman, 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

Andrews,	Gurzenda,	McCormack,	Ross,
Arlene,	Hager,	McKinney,	Scanlon,
Bell,	Hess,	Mellow,	Schaefer,
Coppersmith,	Holl,	Messinger,	Smith,
Corman,	Hopper,	Moore,	Snyder,
Dougherty,	Howard,	Murray,	Stapleton,
Duffield,	Jubelirer,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fleming,	Lewis,	Orlando,	Tilghman,
Fumo,	Lynch,	Reibman,	Zemprelli,
Gekas,	Manbeck,	Romanelli,	

NAYS—1

Kelley.

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

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

SUPPLEMENTAL CALENDAR

HB 72 CALLED UP OUT OF ORDER

HB 72 (Pr. No. 3069) — Without objection, the bill was called up out of order, from page 1 of the Supplemental Calendar, by Senator MESSINGER.

REPORT OF COMMITTEE OF CONFERENCE

REPORT ADOPTED

HB 72 (Pr. No. 3069) — Senator MESSINGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on House Bill No. 72, entitled:

An Act providing for the development of a Statewide emergency telephone number "911" system plan and establishing the Bureau of Telecommunications with the duties and responsibilities for all telecommunications with State Government.

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

Senator STAUFFER. Mr. President, I desire to interrogate the gentleman from Beaver, Senator Ross.

The PRESIDING OFFICER. Will the gentleman from Beaver, Senator Ross, permit himself to be interrogated?

Senator ROSS. I will, Mr. President.

Senator STAUFFER. Mr. President, during the consideration of House Bill No. 72, there was a question among Members of the General Assembly as to which agency of State government would assume the administration of this new program. There was a debate as to whether it should be placed under the administration of the Office of Administration in the Governor's Office or whether it should be placed in the Department of General Services.

Would the gentleman indicate the decision of the Conference Committee regarding the bureau or department that would administer this new program?

Senator ROSS. Mr. President, on page 4, line 23, we decided on a statutory department designated by the Governor, which could be the Department of General Services or Commerce, preferably General Services.

Senator STAUFFER. I thank the gentleman, Mr. President, and would indicate that most of us, I believe, certainly on this side of the aisle and probably the whole Senate, agree that the Department of General Services would be the best department to administer this program and I would support the approval of the Conference Report.

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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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.

HB 2192 CALLED UP OUT OF ORDER

HB 2192 (Pr. No. 2921) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2192 (Pr. No. 2921) — 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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1001 (Pr. No. 1788) — Senator MESSINGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1001.

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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION, DEFEATED ON FINAL PASSAGE

HB 2246 (Pr. No. 3068) — Considered the third time,

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

HANKINS-ARLENE AMENDMENT

Senator ARLENE, on behalf of Senator HANKINS and himself, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 41, lines 21 through 26, by striking out "NO MONEY SHALL BE DISBURSED FROM" in line 21, all of lines 22 through 26

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

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Philadelphia, Senator Arlene. I believe this issue has been fought on the floor of the Senate on at least three different occasions. I believe the language of the bill is the consensus of the Senate and should remain in the bill.

Therefore, Mr. President, I ask that the amendment be defeated.

Senator DOUGHERTY. Mr. President, I rise to agree with the gentleman from Philadelphia, Senator Smith. This issue was addressed in the passage of a previous Senate bill.

What the amendment would do would be simply to allow tax dollars to be used to pay for elective abortions. I know the Senate overwhelmingly rejected that idea when they passed the previous legislation. I would therefore ask for a "no" vote on the amendment.

Senator FUMO. Mr. President, I rise to speak in favor of this amendment. I was not here for the debate on the last bill and I would like to make my feelings known.

I feel what we are talking about now is not the issue of abortion but rather one of economic discrimination. The law of the United States and the law of Pennsylvania is that abortion is available. What we are saying is, by not allowing this bill to be amended this way, the poor people in the Commonwealth are to be discriminated against on this issue. I remind every Senator that discrimination against any person, for any reason, while it can be made light on some issues, is just the beginning and if it is not checked, it will go on to other issues and become much greater.

Therefore, Mr. President, I urge my colleagues to vote in favor of this amendment in order to fight against this sort of discrimination. It might be different if it were not the law of the land, but it is.

And the question recurring,

Will the Senate agree to the amendment?

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

YEAS—18

Arlene, Corman, Duffield, Fumo, Gekas,	Hager, Hess, Hopper, Howard, Jubelirer,	Kury, Lewis, Manbeck, McKinney,	Messinger, Moore, Reibman, Tilghman,
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NAYS—29

Andrews, Bell, Coppersmith, Dougherty, Dwyer, Early, Fleming, Gurzenda,	Holl, Kelley, Kusse, Lynch, McCormack, Mellow, Murray,	Nolan, Noszka, O'Pake, Orlando, Romanelli, Ross, Scanlon,	Schaefer, Smith, Snyder, Stapleton, Stout, Sweeney, Zemprelli,
--	--	---	--

So the question was determined in the negative, and the amendment was defeated.

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

HANKINS-ARLENE AMENDMENT

Senator ARLENE, on behalf of Senator HANKINS and himself, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 41, lines 21 through 26, by striking out "NO MONEY SHALL BE DISBURSED FROM" in line 21 and all of lines 22 through 26 and inserting: None of the funds provided for in this appropriation shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term; except for such medical procedures necessary for the victims of rape or incest, when such rape or incest has been reported promptly to a law enforcement agency or public health service; or except in those instances where severe and long lasting physical health damage to the mother would result if the pregnancy were carried to term when so determined by two physicians. Nor are payments prohibited for drugs or devices to prevent implantation of the fertilized ovum or for medical procedures necessary for the termination of the ectopic pregnancy.

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

Senator FUMO. Mr. President, I rise to speak on behalf of this amendment. This amendment would eliminate the elective type of abortions which were talked about in the last amendment. This amendment would allow an individual who is poor to obtain an abortion with Medicare funds if damage to the physical health of the mother would result in the pregnancy. Two doctors would have to certify this fact.

It would also allow the mother to obtain an abortion if she were the victim of rape or incestuous relationship. This is the language of the Brooke amendment.

Some of my colleagues may feel it is not proper to allow someone to have an abortion for elective reasons. They may feel more kindly toward an individual whose life is in danger. I would then ask my colleagues to vote "yes" on this amendment.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Philadelphia, Senator Arlene. I would refer the Members of the Senate to page 41 of House Bill No. 2246, Printer's No. 3068, where it states: "... except where the abortion is certified in writing by a physician to be necessary to save the life of the mother."

Mr. President, I would request the same roll call be used on this amendment as was used on the previous amendment.

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

(During the calling of the roll, the following occurred:)

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

YEAS—22

Arlene,	Hager,	Kury,	Moore,
Corman,	Hess,	Kusse,	Reibman,
Duffield,	Holl,	Lewis,	Snyder,
Dwyer,	Hopper,	Manbeck,	Stout,
Fumo,	Howard,	Messinger,	Tilghman,
Gekas,	Jubelirer,		

NAYS—25

Andrews,	Kelley,	Nolan,	Scanlon,
Bell,	Lynch,	Noszka,	Schaefer,
Coppersmith,	McCormack,	O'Pake,	Smith,
Dougherty,	McKinney,	Orlando,	Stapleton,
Early,	Mellow,	Romanelli,	Sweeney,
Fleming,	Murray,	Ross,	Zemprelli,
Gurzenda,			

So the question was determined in the negative, and the amendment was defeated.

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

HANKINS-ARLENE AMENDMENT

Senator ARLENE, on behalf of Senator HANKINS and him-

self, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 41, line 24, by inserting after "ABORTION" where it appears the last time: terminates a pregnancy arising as a result of rape or incest or

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

Senator FUMO. Mr. President, I would like to say, having been taught how to snatch defeat out of the hands of victory, or whatever, I would ask everyone to vote in favor of this amendment. It merely refers to rape and incest and allows an individual to obtain an abortion if that occurs. If the victim is raped and is indigent, she is able to obtain an abortion.

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

A voice vote having been taken, the question was determined in the negative, and the amendment was defeated.

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

NOLAN AMENDMENTS

Senator NOLAN, by unanimous consent, offered the following amendments:

Amend Bill, page 74, by inserting between lines 12 and 13:

Section 9. The fiscal year July 1, 1978 to June 30, 1979 shall be divided into two lesser fiscal periods from July 1, 1978 to January 15, 1979 and from January 16, 1979 to June 30, 1979. Every appropriation to any department, agency, board, council or commission under the classification of Executive Department shall be divided into two equal sums and shall be administered by the Treasury Department and the Office of the Budget to insure that for each lesser fiscal period such department, agency, board, council or commission shall not expend or in any way encumber any sum in excess of one-half of the appropriation set forth in section 2.

Amend Sec. 9, page 74, line 13, by striking out "9." and inserting: 10.

Amend Sec. 10, page 74, line 22, by striking out "10." and inserting: 11.

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

Senator NOLAN. Mr. President, these amendments permit the entire appropriation of moneys first. After those moneys have been appropriated, they shall be divided in the same appropriations bill into two appropriations, half of the appropriation to be effective July 1, 1978, to January 15, 1979, and the second half of the appropriation to be given effective January 16, 1979, to June 30, 1979, in order that the new Governor, whoever he may be, Democrat or Republican, in his first action, would not have to ask for a tax increase.

Senator SMITH. Mr. President, with a change in Administration next year, this is quite an agreement to accept. However, let me say that it could cause an administrative nightmare. I would bring to the attention of the Members that we are dealing with the Department of Public Welfare, the Department of General Services and so on and we are talking about contracts.

A trash contract comes to mind where it would have to be split into two six-month periods. Consequently, the rates would go up because the contractor at that moment in time could not predicate his wages upon a six-month period against a twelve-month period.

I would also bring to the attention of the Members our correctional institutions where we contract for food services for a period of one year. If we had to break this contract into two segments, the cost possibly could go up.

I ask for the defeat of the amendments offered by the gentleman from Allegheny, Senator Nolan, simply because it could become an administrative nightmare.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third consideration?

HAGER AMENDMENTS

Senator HAGER, by unanimous consent, offered the following amendments:

Amend Bill, page 74, by inserting between lines 12 and 13:

Section 9. Within 30 days of enactment, the Budget Secretary shall prepare a spending plan for moneys appropriated to the agencies under the Governor's jurisdiction. This spending plan will allocate the funds appropriated under this act on a quarterly basis and will include a maximum level of funds which the agencies can spend during any of the four three-month periods. Funds unexpended from each quarterly allocation shall automatically lapse as of the last day of that quarter. Copies of the spending plan shall be forwarded to the Chairmen and Minority Chairmen of the Appropriations Committees of the Senate and the House of Representatives and to the Legislative Budget and Finance Committee. No changes in the spending plan shall be made without the concurrence of the Governor and the Legislative Budget and Finance Committee.

Amend Sec. 9, page 74, line 13 by striking out "9" and inserting: 10

Amend Sec. 10, page 74, line 22 by striking out "10" and inserting: 11

On the question,

Will the Senate agree to the amendments?

Senator HAGER. Mr. President, the intent of these amendments is somewhat like the amendments offered by the gentleman from Allegheny, Senator Nolan, but I do not think they would cause the problem which was pointed out by the gentleman from Philadelphia, Senator Smith.

In the amendments offered by the gentleman from Allegheny, Senator Nolan, the fiscal year would be split in two and half of the expenditures would have to come in the first half and half in the second. Not so in these amendments.

These amendments actually split the fiscal year into four quarters and request that the Budget Secretary, within thirty days following these amendments, if the bill should pass in this form, should certify to the General Assembly exactly what

moneys would be necessary in the first, the second, the third and the fourth quarters so that we would not face that problem at the end of the year when everybody rushes out to spend the money, that kind of squirreling away we talked about during the last budget fight.

I might point out that this is not just an idea which we have come up with. This is an idea which was recommended to this Governor in the Governor's Review by that "blue ribbon" panel of businessmen back in 1975.

Specifically, in Section 315, the Governor's blue ribbon panel pointed out that the fiscal organization of the State is splintered and suffers from a lack of leadership, overlapping functions and ineffective performance. It insists that we should have control mechanisms because they say the present ones are only fifty per cent effective.

They also point out that as the budget system exists, it does not provide for control or reduction of costs. Specifically, in paragraph 318 the blue ribbon panel which the Governor asked to make recommendations concerning the budget process said as follows: "Lapsing funds is the process of returning unused appropriation amounts to surplus. Once lapsed, these amounts are no longer available to individual agencies for commitment to expenditure. At present, appropriations are not lapsed until the fourth quarter of the fiscal year. Budgeting techniques are such that agencies attempt to use appropriations in full. As a result, expenditures in the fourth quarter become abnormally high in order to avoid lapsing funds."

This is that phenomenon which we pointed out to the Senate last year and because it was pointed out, it resulted in a savings of some \$40 million during the budget fight for this year.

They go on to say, "The budget should be prepared on a quarterly basis and agencies should be required to lapse funds at the end of each fiscal quarter. Unexpended funds would be lapsed automatically by the Bureau of Financial Management unless the agency could justify carrying an appropriation over to the next quarter. Implementation would eliminate the practice of abnormal spending to avoid lapsing."

In other words, that forward spending which for one thing, Mr. President, had money which was dedicated and appropriated to the use of a Bicentennial Commission which disappeared two years ago is presently being spent.

I was just pointing out, Mr. President, that right now money is being spent by the Department of Commerce which is in a bank account which supposedly lapsed two years ago for the Bicentennial Commission. The advertisement they are using is kind of interesting. It says, "Last Year It was History; This Year It Is Fun."

It was pointed out to this Senate last year that because of the failure of this kind of control the Department of Corrections was buying uniforms for guards who had not been hired for a prison which had not been built.

We are suggesting with this kind of control, at the end of each quarter, the money could be lapsed. The problem does not exist in these amendments as was suggested by the gentleman from Philadelphia, Senator Smith, in the amendments offered by the gentleman from Allegheny, Senator Nolan, because the Budget Secretary would be required to set forth exactly what

expenditures, whether they were twenty-five per cent or fifty per cent, were made in the first quarter, the second quarter, the third quarter and the fourth quarter. At the end of each quarter the lapsing would take place.

Mr. President, I would ask for an affirmative vote and I also ask for a roll call.

Senator BELL. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Hager.

The PRESIDING OFFICER. Will the gentleman from Lycoming, Senator Hager, permit himself to be interrogated?

Senator HAGER. I will, Mr. President.

Senator BELL. Mr. President, I am just a little confused. I understood the presentation by the gentleman from Allegheny, Senator Nolan, where everything was divided in half.

Is the gentleman proposing to divide all the expenditures into quarters?

Senator HAGER. Absolutely not, Mr. President. What would happen, as I explained twice, would be that the Budget Secretary would be required, within thirty days of the passage of the General Appropriations bill, to report to the General Assembly exactly what expenditures would be required in the first quarter, the second quarter, the third quarter and the fourth quarter. There would be no division of twenty-five per cent of the year so that if, in fact, sixty per cent of the expenditures of a department or some line item in the budget would take place in the first quarter, that is the amount which would be allocated to that first quarter.

Senator BELL. Mr. President, I thank the gentleman. That satisfies my question because I note many line items through the budget. I am just scanning. For instance, I think the State sprays for gypsy moth in the spring and I do not see how that could be split into quarters.

There is an item for printing the Pennsylvania Manual. I do not believe that could be split into quarters. There is something to reimburse Delaware County for trying Tony Boyle for the Yablonski murders. That could not be split.

I say that the approach of the gentleman from Lycoming, Senator Hager—as I understood it in caucus, the appropriations would be split into quarters—makes more sense and I will vote for this proposal.

Senator SMITH. Mr. President, I rise to object to the amendments based on my objections to the amendments of the gentleman from Allegheny, Senator Nolan.

I would also bring to the attention of the Members that we are dealing with school subsidies and in this matter, if a school board were late in offering a return, it could very well be that that money could be lapsed. I would bring to the attention of the Senate that, at many moments in time, a school board will send in a late form and it takes many months to adjust the subsidy that is due.

I would remind the Members we are talking about school subsidies; probably one of the most important things this Commonwealth does in dealing with our children is the school subsidies. On that basis alone, Mr. President, I ask for the defeat of these amendments.

Senator HAGER. Mr. President, apparently the gentleman was not listening to me. That does not happen with these

amendments at all.

In these amendments, as opposed to those offered by the gentleman from Allegheny, Senator Nolan, the Budget Secretary must set forth to the General Assembly exactly when the subsidy payments would have to be made and this budget is adjusted accordingly. There is no arbitrary chopping of this budget into four pieces at all. The amendments simply say that within thirty days the Budget Secretary shall prepare a spending plan for moneys appropriated and if that means that seventy per cent of an appropriation must be spent in the first quarter, that is what is set forth.

Additionally, because this would be in four, we would be able to get to any problems of lapsed money which might be necessary to handle on a deficiency appropriation basis immediately and without the kind of problem the gentleman from Philadelphia, Senator Smith, has suggested. This problem, which the gentleman addresses, just does not exist under this plan.

Senator SMITH. Mr. President, I bring the Chair's attention to that part of the amendments which say, "Copies of the spending shall be forwarded to the Chairmen and the Minority Chairmen of the Appropriations Committees of the Senate and the House of Representatives . . . No changes in the spending plan shall be made without the concurrence of the Governor . . ." and I believe this is handwritten—it was the Minority membership of the Committee on Appropriations which was changed to read "Legislative Budget and Finance Committee," which are not elected officials.

I shall read it again: "No changes in the spending plan shall be made without the concurrence of the Governor and the Legislative Budget and Finance Committee."

Mr. President, we complain constantly about bureaucracy and here we are telling the administrative part of government that they must first submit the plan of spending back to the General Assembly after we have given them an appropriation. I say the plan is not workable and since the financial end of the government is not prepared to accept this type of amendments, I ask for the defeat of these amendments simply because we are not geared in to such a radical change.

Senator HAGER. Mr. President, one correction in an inadvertent statement by the gentleman from Philadelphia, Senator Smith.

The members of the Legislative Budget and Finance Committee are all elected officials, being Members of the General Assembly who are appointed by the President pro tempore of the Senate and by the Speaker of the House, Mr. President.

The Chairman of such a committee is the President pro tempore, Martin L. Murray.

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

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

YEAS—22

Andrews,	Fleming,	Howard,	Moore,
Bell,	Gekas,	Jubelirer,	Schaefer,
Corman,	Hager,	Kelley,	Snyder,
Dougherty,	Hess,	Kusse,	Stauffer,

Dwyer, Early,	Holl, Hopper,	Manbeck,	Tilghman,
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NAYS—25

Coppersmith, Duffield, Fumo, Gurzenda, Kury, Lewis, Lynch,	McCormack, McKinney, Mellow, Messinger, Murray, Nolan,	Noszka, O'Pake, Orlando, Reibman, Romanelli, Ross,	Scanlon, Smith, Stapleton, Stout, Sweeney, Zemprelli,
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So the question was determined in the negative, and the amendments were defeated.

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

KELLEY AMENDMENTS

Senator KELLEY, by unanimous consent, offered the following amendments:

Amend Sec. 2, page 2, lines 20 and 21, by striking out all of said lines

Amend Sec. 2, page 57, lines 8 through 10, by striking out all of said lines

Amend Sec. 2, page 65, lines 22 through 24, by striking out all of said lines

On the question,

Will the Senate agree to the amendments?

Senator KELLEY. Mr. President, these amendments amend three purported appropriations contained in this bill.

On page 2, it strikes out lines 20 and 21; on page 57, it strikes out lines 8 through 10 and on page 65, it strikes out lines 22 through 24.

Mr. President, lately each of us has been hearing from our constituents about certain processes the government uses in conducting business. Very high on the minds of people, on their lips and in their voices, is the criticism of the way the General Assembly has been giving increases of benefits by way of salary to the General Assembly Members and certain high officials in the Judiciary and the Executive Branch.

Essentially, these amendments will take the money away from the Commonwealth Compensation Commission. The other Body has overwhelmingly passed a bill to alter the Compensation Commission. But what is on the minds of the people is that the Compensation Commission should not exist because the raises in salaries should not come about in any different form than other ways of legislating in the Commonwealth.

I feel, therefore, Mr. President, this is an opportunity for this Body to go on record as embracing the true method by which legislation will come into being, specifically when it involves and inures to our own benefit.

I believe the Compensation Commission has been tried and has been proven to be a failure. These amendments afford each of us an opportunity to face up to the true realities and responsibilities of government.

Mr. President, I ask for an affirmative vote and ask for the "yeas" and "nays" by a roll call vote.

Senator MESSINGER. Mr. President, if the gentleman from

Westmoreland, Senator Kelley, had been here as long as I have—and I have not been here that long—he would realize that when we first increased the salaries, the newspapers and the people said we should not vote on our own salaries, so we established the Compensation Commission. When the Compensation Commission came forward with a favorable report, they said we should have guts enough to vote it on our own because we could then accept it by not rejecting it. I believe the way it is set up now, the Compensation Commission, or the bill which the House has passed and which we will be addressing, where the Compensation Commission makes recommendations within thirty days, we have to vote to accept or reject any or all of the Compensation Commission's recommendations. That should meet the objections of the public. I believe that money should be left in the budget to support the Compensation Commission.

Senator KELLEY. Mr. President, apparently the gentleman from Lehigh, Senator Messinger, missed my point. It is not so much as purported by the bill coming from the House would indicate that the Compensation Commission makes recommendations to which we must address ourselves, but, more importantly, that the salaries of ourselves and others covered by this, should originate no differently than any other legislation, that is, within ourselves.

Therefore, we should not have a Compensation Commission at all, especially by appointment, and the very fact that those appointments are made in the manner that they are, they are recommendations which are subject to scrutiny and criticism on their face. I thank the gentleman for his comments, however.

Senator McCORMACK. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Kelley.

The PRESIDING OFFICER. Will the gentleman from Westmoreland, Senator Kelley, permit himself to be interrogated?

Senator KELLEY. I will, Mr. President.

Senator McCORMACK. Mr. President, what is the status of the bill which would retain the Commonwealth Compensation Commission but require the Legislators to vote to accept or reject the recommendations of the commission?

Senator KELLEY. Mr. President, there is presently in the Committee on State Government, a bill which was overwhelmingly passed by the House that provides for that status.

Also, there is a bill in the Committee on State Government, which I introduced and submitted several years ago, that calls for its abolition. I will propose at the time that matter is considered amending that House bill to abolish the Compensation Commission.

Senator MANBECK. Mr. President, I am very much interested in listening to the gentleman's discussion of the bill and I am unable to hear what he is saying because of the disorganization of the Senate.

The PRESIDING OFFICER. The Chair would please ask the Members to be in order.

I believe the interrogation that is taking place is of importance and interest to each of us and will certainly expedite what may otherwise be lengthy business here this evening.

Senator McCORMACK. Mr. President, I ask the gentleman

from Westmoreland, Senator Kelley, to briefly yield to comment on the point of order, which the President ruled was well taken.

As an observer of both Legislative Bodies I must say that we are just as unruly here as in the other Chamber. I am a little surprised and sorry to see that.

I certainly agree with the gentleman from Lebanon, Senator Manbeck.

Mr. President, while I am in sympathy with the gentleman's objectives in these amendments, I believe it is coming at the wrong time. I am hoping eventually we will have that bill on the floor, which will require the Legislators to vote, affirmatively or negatively, with respect to the recommendations of the Compensation Commission.

I believe the people—throughout the campaign in which I was just engaged—feel that the Legislators are somewhat cowardly in not taking the initiative and having enough fortitude to vote for or against a salary increase. I do not think there is any objection to the Compensation Commission per se.

Therefore, at this time, I must vote against these amendments, Mr. President.

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

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

YEAS—15

Andrews,	Early,	Kelley,	O'Pake,
Corman,	Gekas,	Kusse,	Schaefer,
Duffield,	Hess,	Moore,	Stout,
Dwyer,	Hopper,	Nolan,	

NAYS—32

Bell,	Howard,	Mellow,	Scanlon,
Coppersmith,	Jubelirer,	Messinger,	Smith,
Dougherty,	Kury,	Murray,	Snyder,
Fleming,	Lewis,	Noszka,	Stapleton,
Fumo,	Lynch,	Orlando,	Stauffer,
Gurzenda,	Manbeck,	Reibman,	Sweeney,
Hager,	McCormack,	Romanelli,	Tilghman,
Holl,	McKinney,	Ross,	Zemprelli,

So the question was determined in the negative, and the amendments were defeated.

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

KELLEY AMENDMENT

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

Amend Sec. 2, page 3, lines 8 through 15, by striking out all of said lines

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

Senator KELLEY. Mr. President, if my colleagues would turn to page 3, the amendment would strike out line 8 through and including line 15. This is an elicitation of six recipients of funds which fall into the category of what has been thoroughly dis-

cussed on this floor, especially during the last budget fight, and what are known as nonpreferred appropriations.

I believe if we are going to meet our constitutional responsibilities we are not going to treat and specifically set forth anything in this General Appropriations bill which clearly falls into the definition of nonpreferred. That may well be. It is the consensus of this Body, subject to the adoption of the General Appropriations bill, that we would want to include these recipients as a nonpreferred and it should be done in that manner, but not this way. This is a prostitution of the fiscal responsibility which we are attempting to discharge.

Therefore, Mr. President, on general principles of the Constitution, I ask that we vote affirmatively on this amendment.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Westmoreland, Senator Kelley. Line 8 through line 15 represents the expressed intent of the Members of the Senate to the Council on the Arts. These appropriations, after much debate with many of the Senators saying what they need for their particular area, are an attempt to supply to them some form of the arts.

Mr. President, I would bring to the attention of the Members that the total amount of these appropriations runs something over \$2,243,000. In this great Commonwealth of ours where we are appropriating \$5.7 billion, it is a small amount to give for the continuation and support of the arts.

Mr. President, I ask for a "no" vote on the amendment offered by the gentleman from Westmoreland, Senator Kelley.

Senator ORLANDO. Mr. President, I rise to oppose the amendment proposed by my colleague, the gentleman from Westmoreland, Senator Kelley. It might be prostituting the present General Budget as the gentleman stated, but those of us from the hinterlands, who have gone to the Council on the Arts year after year attempting to get money for particular programs which we feel are beneficial to a large area in our particular District, have come back with a pittance year after year.

I feel it is time that we get a line item budget so that some of us from the small areas which do not benefit from the appropriations given out by the Council on the Arts do receive some of the deserved money we need so badly.

Senator KELLEY. Mr. President, I suppose there is nothing more frustrating for any one of us than to speak and assert a principle—in this case an amendment—and be misquoted or misunderstood. This amendment does not address itself to taking money away from the Council on the Arts. In fact, this budget includes a great deal more money than they had last year.

The point of my amendment is that you may not do indirectly what you are prohibited from doing directly. The gentleman from Philadelphia made a statement to the effect that this was for the arts. It is proper to have these six enumerated beneficiaries or recipients. Why then do we not have the Franklin Institute and all the other recipients of the nonpreferred appropriations in Philadelphia County, Allegheny County and different parts of the Commonwealth in this General Appropriations bill? Why do we not put in education, just as we did yesterday for Dickinson, in this budget?

Let us quit playing games, Mr. President. These recipients

are all clearly nonpreferred on their face. Anyone who votes against this amendment is embracing an inconsistency of our constitutional requirements.

I can assure my good friend, the gentleman from Erie, Senator Orlando, the Philharmonic of Erie can stand on its own as a nonpreferred which is as it should be. For us to do otherwise is totally irresponsible.

Senator SMITH. Mr. President, what the gentleman from Westmoreland, Senator Kelley, is doing is reducing the moneys appropriated through those line items dealing with the arts. I would use the gentleman's own words: You cannot do indirectly what you cannot do directly. The gentleman is really reducing the appropriations to the Council on the Arts in those line items. There is no guarantee to those Members who have spoken to the Chairman of the Committee on Appropriations that they would be incorporated in the nonpreferred appropriations.

I am saying to the gentleman from Westmoreland, Senator Kelley, as I said originally, he is reducing the funds appropriated to the Council on the Arts as given in House Bill No. 2246.

Senator DUFFIELD. Mr. President, in a way the gentleman from Westmoreland, Senator Kelley, is correct. These are the pet projects of someone. Therefore, when we go to Conference Committee I will ask for \$5,000 for the Gobbler's Knob Buckwheat Festival and so forth and so on. That sounds as silly as the Selma Burke Art Institute. I never heard of it in my life. The Schoolhouse Art Center in Allegheny County is probably in some Legislator's District so we are helping him out. Somebody was a little dry and got the Schuylkill County Council for the Arts in. The Lansdowne Philharmonic Orchestra—I never heard of the town of Lansdowne, but I guess it is in Pennsylvania.

Let us just face the facts on the thing. Those are things to help certain Members of the General Assembly in their District. I did the same last year. I see my Somerset area is not on here this year, but I am sure the gentleman from Philadelphia, Senator Smith, will invite all of us to the joint committee if we have a pet project. Let us all go in and get it in there because we might as well get part of this gravy train too.

Senator SMITH. Mr. President, I would refer the gentleman from Fayette, Senator Duffield, to page 32 of House Bill No. 2246 where I note, "For administration of the Somerset Historical Center." I am sure the gentleman would most certainly defend that particular appropriation.

I would say to the gentleman when I first came to the Senate of Pennsylvania, he appealed for—I believe he used the word toilets and he also said they needed sewers. I have now been the Chairman of the Committee on Appropriations for more than five months and the gentleman has not appealed for any sewers in Fayette County and I am most amazed.

Senator KELLEY. Mr. President, I ask unanimous consent to be recognized more than two times on this occasion.

The PRESIDING OFFICER. The Chair hears no objection.

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Smith.

The PRESIDING OFFICER. Will the gentleman from Phila-

delphia, Senator Smith, permit himself to be interrogated?

Senator SMITH. I will, Mr. President.

Senator KELLEY. Mr. President, would the gentleman state the intended procedure to handle House Bill No. 2246 with regard to amendments being considered today and whether or not they will be accepted? What is the policy with regard to disposition of this bill by the Senate?

Senator SMITH. Mr. President, as you know we have amended House Bill No. 2246. Possibly it will be unacceptable to the House. Therefore, the amendments will be nonconcurrent in and the bill will be rejected by the House. It will then go to a Conference Committee at which time I can assure the gentleman that every Senator will have the opportunity to appear before the conferees and will be given every consideration for every amendment that could have been offered today.

Senator KELLEY. Mr. President, is it the gentleman's intention then that no amendments would be accepted here on the floor today.?

Senator SMITH. Mr. President, it is the intention and the sense of the Senate that all amendments would be rejected today.

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

If I may, it seems that the gentleman has a considerable amount of support among my colleagues and, without wanting to belabor or discomfort them any longer in listening to my voice or any other amendments I have, I would like to state briefly for the record that I received a copy of this bill yesterday when I arrived in Harrisburg, as I think most of my colleagues did also.

The PRESIDING OFFICER. Senator Kelley, the Chair would like to remind you that the question is on the amendment and would request that you confine your remarks to that issue, please.

Senator KELLEY. Mr. President, I could expedite the total disposition of my participation if the Chair would give me some liberty until a Member objects. I would appreciate it.

The PRESIDING OFFICER. The Chair hears no objection. The Senator may proceed.

Senator KELLEY. Mr. President, time and again we have had Members come to this floor with amendments. I believe the gentleman from Northumberland has been the strongest exponent about fiscal responsibility. I happen to disagree with the procedure being taken. I feel each of us has a responsibility to examine thoroughly and participate and deliberate in the process of the General Appropriations bill implementing the budget. I feel the method being adopted by the Senate leadership in this regard is totally insensitive to that responsibility.

Last night I did not participate in any dinner or anything else in order to be able to digest this bill. I was only able to go to page 12 and had prepared seventeen amendments at that point. In this regard, Mr. President, it seems rather foolhardy for me to continue to offer these amendments even though I believe in them. Hopefully, some day we will change our ways because I think it is very difficult for the people to understand if we are not able to understand how this Body can receive a bill which is the greatest of its annual responsibilities, the General Appropriations bill, and in less than a week's time dispose of it and

spend no more than three, four or five hours in general debate or amendments. I believe it is deplorable and I deplore the method.

Mr. President, I will accept a voice vote on my amendment and will not offer anymore amendments in view of the dialogue I had with the gentleman from Philadelphia, Senator Smith.

Senator SWEENEY. Mr. President, I have an amendment to offer, but, prior to that, I would like to respond to a comment made by the gentleman from Fayette, Senator Duffield, where he seemed to be somewhat at a loss to identify the location of Lansdowne. Lansdowne is located in my District, in Delaware County. The item he referred to was the Lansdowne Philharmonic Orchestra. The orchestra has some rather distinguished musicians, some of whom have gone on to the Philadelphia Orchestra and other famous orchestras in the country.

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

A voice vote having been taken, the question was determined in the negative, and the amendment was defeated.

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

CORMAN AMENDMENT

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

Amend Sec. 2, page 13, by inserting between lines 9 and 10:
For the purchase of a pumping apparatus truck for the Vocational Education Fire School 100,000

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

Senator CORMAN. Mr. President, this amendment deals with the Fire School in Lewistown, Mifflin County, and it is for the purchase of a pumping apparatus truck for the Vocational Education Fire School in the amount of \$100,000. It was in the budget as it came over from the House, I believe, and it was then taken out. My amendment would put that \$100,000 into the budget.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman.

Mr. President, you may know there is a bill in the Senate—it has gone through the House—which calls for a State Fire Commissioner.

It is my understanding that the moneys dealing with volunteer fire departments are spread all over the Commonwealth, that is, in different bureaus and departments. For example, the Department of Education has certain amounts of moneys, the GSA has certain amounts of moneys. We deleted the \$100,000 basically, Mr. President, predicated on the fact that a State-wide Fire Commissioner could possibly come into being in the very near future. The \$100,000 will be held in abeyance and at such time as that bill passes, the \$100,000 will be reinstated.

I ask for a "no" vote on the amendment, Mr. President.

Senator CORMAN. Mr. President, I would merely like to state that this is not a big city area where you have paid fire

companies. In central Pennsylvania we have almost all volunteer fire companies. This is a very important, necessary thing for volunteer fire companies. Many times in rural Pennsylvania we are told that things are going to happen but when we wait for them to happen, they never do.

I believe the safest thing we can do is have it in the budget as a specific item and then we know it will happen.

Therefore, Mr. President, I ask that the amendment be passed and ask for a roll call vote.

Senator BELL. Mr. President, I support the amendment. I sat, with other Senators, through the fire services task force hearings. The State Fire School is attended by all our firemen, including those from Delaware County.

As far as the remarks of the gentleman from Philadelphia, Senator Smith, that when a bill is passed the money will be put in the budget, that is like saying, "After the train leaves, we will give you a seat on it."

Senator HESS. Mr. President, I served on that task force under the gentleman from Erie, Senator Orlando, and I think anybody who visited the Fire School knows how necessary this appropriation is.

Therefore, I ask everyone to give due consideration to the amendment of the gentleman from Centre, Senator Corman.

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

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

YEAS—21

Andrews,	Gekas,	Howard,	Nolan,
Bell,	Hager,	Jubelirer,	Orlando,
Corman,	Hess,	Kusse,	Snyder,
Dougherty,	Holl,	Manbeck,	Stauffer,
Dwyer,	Hopper,	Moore,	Tilghman,
Fleming,			

NAYS—27

Arlene,	Kury,	Murray,	Schaefer,
Coppersmith,	Lewis,	Noszka,	Smith,
Duffield,	Lynch,	O'Pake,	Stapleton,
Early,	McCormack,	Reibman,	Stout,
Fumo,	McKinney,	Romanelli,	Sweeney,
Gurzenda,	Mellow,	Ross,	Zemprelli,
Kelley,	Messinger,	Scanlon,	

So the question was determined in the negative, and the amendment was defeated.

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

CORMAN AMENDMENT

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

Amend Sec. 2, page 7, line 18, by striking out "\$12,165,000" and inserting: \$13,076,000

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

Senator CORMAN. Mr. President, this particular amend-

ment would amend page 7, line 18, by striking out \$12,165,000 for the Department of Agriculture and inserting the figure which came over from the House in the amount of \$13,076,000.

I could stand here and talk long and hard about the importance of agriculture in the State of Pennsylvania and in the United States because, without agriculture, we really have nothing.

I think we are all quite familiar with the need for agriculture so I would merely ask that the amendment be adopted and ask for a roll call vote, Mr. President.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman dealing with this particular line item.

There is much concern about the Department of Agriculture. I can assure the gentleman that the Committee on Appropriations also is concerned. I can assure the gentleman there will be great concern by the conferees and there will be a chance for him to appear before the conferees and introduce the amendment again.

However, Mr. President, at this time I would ask that the amendment be rejected.

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

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

YEAS—19

Andrews,	Gekas,	Howard,	Snyder,
Corman,	Hager,	Jubelirer,	Stapleton,
Dougherty,	Hess,	Kusse,	Stauffer,
Dwyer,	Holl,	Manbeck,	Tilghman,
Fleming,	Hopper,	Moore,	

NAYS—29

Arlene,	Kury,	Murray,	Ross,
Bell,	Lewis,	Nolan,	Scanlon,
Coppersmith,	Lynch,	Noszka,	Schaefer,
Duffield,	McCormack,	O'Pake,	Smith,
Early,	McKinney,	Orlando,	Stout,
Fumo,	Mellow,	Reibman,	Sweeney,
Gurzenda,	Messinger,	Romanelli,	Zemprelli,
Kelley,			

So the question was determined in the negative, and the amendment was defeated.

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

SNYDER AMENDMENT

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

Amend Sec. 2, page 37, by inserting between lines 1 and 2:

The Department of Public Welfare shall not enter into any contract without the approval of the General Assembly in accordance with the procedure established by the act of April 7, 1955 (P. L. 23, No. 8), known as the "Reorganization Act of 1955," and a message to the General Assembly from the Governor for the purposes of executing such function shall be transmitted as in other cases under the Reorganization Act of 1955

with the exception of janitorial and maintenance of equipment or facilities contracts or for a contract which does not exceed \$50,000 per annum with the same contractor. The Governor shall submit to the General Assembly in regards to each proposed contract, the following:

(1) The full text of the contract.

(2) A full disclosure of all of the parties with whom the department proposes to contract, to include, in the case of corporations and unincorporated associations, the names of all of the officers and directors of such corporation or association.

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

Senator SNYDER. Mr. President, this amendment would be an effort to put some legislative control on the millions of dollars which the Commonwealth spends on contracts. It is one place where I feel our irresponsibility is quite apparent and embarrassing so.

Specifically, the amendment would provide that the Department of Welfare must submit its contracts to the General Assembly; that is, any contracts which exceed \$50,000. They would have to show us the text. They would have to tell us who the officers are of any organization which would receive the money. The mechanics of it would work similar to the Reorganization Plan in which we receive notice of the desire of the Executive Department and, if we fail to act within thirty days, the action may be taken. At the same time we may stop it within that period. The exceptions in this amendment would be janitorial, managerial and certain contracts in which policy questions are not involved. But, everything over \$50,000 would have to come before us.

Mr. President, the question might be asked: How many would there be? The best figure we can come up with is that there would be presently 409 contracts, amounting to \$275 million. These are contracts which, as of now, we do not pass upon before they are signed by the department. The only notice we get is in appropriations hearings, several days prior to which we get the huge bundle of lists of the contracts. We can look them over, ask for copies of them but, in truth, it is after the fact. They have already spent the money. They have already signed the contracts and spent nearly all of the money. This amendment would give us a check on it before the fact.

Just to give a rough idea, very quickly, of the kind of volume we are talking about. In the current year, we have day care contracts, 131 of them, totaling \$70 million, of which the State of Pennsylvania pays a quarter.

We have various education and training contracts, legal services, housing services and so forth; many multi-welfare services for children, \$31 million.

Social services for various purposes, \$32 million.

Aging, provide for the development of area plans to meet the needs of the elderly, we have fifty-five contracts of \$55 million.

Mr. President, we just have no idea how much money is going out to social workers, consultants and in some cases, people who are, of course, attending to the duties in these various things. However, we do not know and it is a disgrace that we do not.

There are several side benefits which would flow from doing

this. One is that some of the shell game that goes on in the budget-making would stop. For example, as it is now there is a contract that the Department of Welfare signed by which it pays nearly \$400,000 so that the Governor's Office is reimbursed for its hot line with respect to the welfare inquiries that come in there.

We found a series of contracts in which one clergyman gets \$22,000-plus for services at six different facilities where he presumably serves in the course of the year.

Welfare Pride, Inc., which was really created in response to the welfare rights people in Philadelphia received \$30,000 to give courses on sensitizing the social workers in the Philadelphia area. That then was doubled this year to \$67,000.

It strikes me that if we had the provision I am asking, they would not have asked for \$67,000. They might have asked for \$49,000, but at least they would have had some curb on that rather vague purpose.

Representative Wilson in the House made a study of this and discovered the fact that in the Hazleton State General Hospital, for instance, there has been an upping of their contract for a number of purposes. It is listed under consulting contracts, which I certainly do not think it is. They received \$78,000 one year, \$181,000 the next year. They are asking an increase to \$250,000 now. This sort of thing will just step up, up, up as long as we let it. Just as an interesting detail on that particular contract, the contract itself, which Representative Wilson obtained, shows that, I believe for oxygen, for which, under this contract, they paid eighty cents per unit, can be obtained from another source, he says, for ten cents a unit.

In brief, Mr. President, I think we could do a lot of good by passing something which puts more responsibility on us, it is true, but I believe this is where it belongs. By this contract route we are spending so much more than we are even in some of the departments we fund and which we supply funds for, even after the most careful scrutiny.

Therefore, I believe, while it puts a greater burden on the Legislature, it will prevent a lot of phoniness in the budget. I believe it will slow down the spending in some of these areas. I think it will educate us as to what goes on in the department and it will give us a chance to stop the spending before it starts.

I would say, Mr. President, if this amendment passes and stays in the General Appropriations bill, it will be a striking departure in the way we conduct government here and will be one of the most significant things which has happened in several years.

Mr. President, I urge an affirmative vote and ask for a roll call.

Senator DUFFIELD. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Snyder.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Senator Snyder, permit himself to be interrogated?

Senator SNYDER. I will, Mr. President.

Senator DUFFIELD. Mr. President, will the gentleman inform us on these hundreds of thousands of dollars involved in the contracts of the Department of Public Welfare, who approves that now? That is, if I would want to sell my services, who approves this?

Senator SNYDER. Mr. President, the Department of Public Welfare and the Office of Administration and I believe the Governor signs most of them. So it does run through the Executive Branch but there is no legislative input into that process.

Senator DUFFIELD. One other question, Mr. President. How is a social worker sensitized?

Senator SNYDER. Mr. President, I am glad the gentleman asked that. I do not know but I understand that the welfare rights people furnish the, shall we call it, faculty and all of the employees of the offices in Philadelphia are required to take this course which, in general, is to tell them the attitudes of the welfare recipients and how they feel when they apply for welfare. It is an effort to make the employees of the department not callous towards their feelings.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Lancaster, Senator Snyder. The gentleman offers a very sensitive issue. I believe all of us have engaged in the thinking and the in-depth thinking on these contracts offered by the different departments and bureaus. However, I recall—and I do believe it has been within the past several months—that the gentleman from Allegheny, Senator Nolan, offered such a bill and I believe it was defeated.

I am saying to the gentleman he has hit on a very sensitive issue which I feel should be put into a separate bill and brought before the General Assembly. We can then treat it as a very, very sensitive issue. I can assure the gentleman we will give him our concern and our thoughts that we, too, want to get into this realm of probabilities.

Mr. President, I ask for a "no" vote on the amendment.

Senator SNYDER. Mr. President, I would only say that this seems to be a time when we could accomplish it if we wish. I should have mentioned that the House passed this amendment by a vote of something like 140 to 50 and it was removed in our Committee on Appropriations.

Of course, Mr. President, I would urge a "yes" vote.

Senator COPPERSMITH. Mr. President, this amendment would require that approximately 6,000 to 7,000 contracts be submitted to the General Assembly between June 15th and July 15th. We would have to review them all. I, for one, hope between June 15th and July 15th I will not be spending all my time reviewing 6,000 to 7,000 welfare contracts.

Senator SNYDER. Mr. President, do I have the Chair's permission to speak on the amendment a third time?

The PRESIDING OFFICER. The Chair hears no objection. The gentleman may proceed.

Senator SNYDER. Mr. President, I must correct my good friend and distinguished colleague for whom I have the greatest regard and the fondest affection. I am only asking that contracts in excess of \$50,000 be subjected to our review. I think there would be four hundred and a few contracts and while that would impose a burden, I feel it is a burden we can and should assume.

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

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

YEAS—21

Andrews, Bell, Corman, Dougherty, Dwyer, Early,	Fleming, Gekas, Hager, Hess, Holl,	Hopper, Howard, Jubelirer, Kusse, Manbeck,	Moore, Snyder, Stauffer, Sweeney, Tilghman,
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NAYS—27

Arlene, Coppersmith, Duffield, Fumo, Gurzenda, Kelley, Kury,	Lewis, Lynch, McCormack, McKinney, Mellow, Messinger, Murray,	Nolan, Noszka, O'Pake, Orlando, Reibman, Romanelli, Ross,	Scanlon, Schaefer, Smith, Stapleton, Stout, Zemprelli,
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So the question was determined in the negative, and the amendment was defeated.

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

JUBELIRER AMENDMENT

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

Amend Sec. 2, page 10, line 24, by striking out "2,000,000" and inserting: 2,700,000

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

Senator JUBELIRER. Mr. President, my amendment will add the sum of \$700,000 to the tourist promotion agency for the coming year. This is an extremely important amendment, Mr. President. Travel and tourism comprise the Commonwealth's second largest industry. Tourist spending provides many thousands of jobs for Pennsylvanians and, Mr. President, the name of the game in 1978 surely must be jobs. It generates millions of dollars for our Commonwealth in State tax revenues.

The competition for the tourist dollar is growing stiffer each year. Pennsylvania's outlay of State moneys to support tourist promotion has fallen well behind other states.

This increase of \$700,000 will bring the appropriation for the Tourist Promotion Assistance Program to \$2.7 million, matching the county and local moneys dollar for dollar. We are, indeed, fortunate, Mr. President, to have the energetic and imaginative county groups promoting tourism. All I ask is that we give them the opportunity, give them the resources to insure the success of their efforts which in return will bring millions of dollars back into the Commonwealth.

I am asking the Members to vote "yes" on the amendment, to vote "yes" really for jobs and money for Pennsylvania and enhance the tax revenues for the Commonwealth.

Mr. President, I ask for a roll call vote.

Senator MELLOW. Mr. President, earlier this evening I discussed with the gentleman from Blair, Senator Jubelirer, his amendment which does increase the appropriation for tourism in the amount of \$700,000 which would bring the total appropriation to \$2.7 million. I have also discussed the amend-

ment with the gentleman from Schuylkill, Senator Gurzenda, who represents the bulk of the tourism industry in the Commonwealth in the Poconos. Both the gentleman from Schuylkill, Senator Gurzenda, and I are extremely interested in increasing this appropriation by \$700,000 and both of us have discussed this with the Chairman of the Committee on Appropriations. He has given us the assurance when this bill does go to a Conference Committee, he will do everything he possibly can to add an additional \$700,000 for tourism.

It is on the strength of that statement made by the gentleman from Philadelphia, Senator Smith, that I would ask my colleagues at this particular time to vote against the amendment.

Mr. President, may we please have some order?

The PRESIDING OFFICER. Will the Senate please be in order?

Senator MELLOW. Mr. President, it makes it very difficult to try to follow a pattern of thought with the noise which is taking place.

The PRESIDING OFFICER. The gentleman's point is well taken. The remarks are extremely important; this is an important amendment before us and I am certain we will be able to expedite the business if there is more attention paid to the comments being made by the Senator.

You may proceed, Senator Mellow.

Senator MELLOW. Therefore, Mr. President, it is with assurance from the gentleman from Philadelphia, Senator Smith, and the other conferees in the Senate, that they will consider the amendment to add \$700,000 to that particular line item that I would ask my colleagues to vote against the amendment of the gentleman from Blair, Senator Jubelirer, only with the understanding, however, that it will be considered in that committee.

Senator DUFFIELD. Mr. President, I have noted from the remarks made here on several occasions that everything is going to go to the joint committee. I do not understand the game being played. If we, as a Senate, firmly believe that we need more money for tourist promotion—and I agree with the gentleman from Blair, Senator Jubelirer, we do need more money. Virginia spends \$10 million per year on tourism. It is very vital to my section of the State, with our mountains and historical places—I just do not understand what the game is that is being played. I may not be able to go to the joint committee meetings. I am running for office this year; I may not even get up here. I believe that we, as a Senate, should not be restrained from putting whatever amendments we want to on the floor. This is one item of spending in which I am very interested.

I see so many of these other appropriations for giveaways to everybody in the State, but here is a few hundred thousand dollars more that could bring millions into this State and it is the sense of the Senate that that amount go in the bill. Why should we have to wait? We are talking about the General Budget right here today. Why should we have to wait and go before the joint committee?

The problem there, Mr. President, is that the joint committee can put in anything they want and that is the bill. That is the budget. Once that is presented to us on the floor, as I under-

stand it, we do not have a chance to amend it. We either vote for the Conference Committee Report or we vote against it and I believe if it is the sense of the Senate that we want to increase this amount to \$2.7 million, why should we not be allowed to do it? Why should we have to go before some joint committee, the results of which we have nothing to say about?

Senator JUBELIRER. Mr. President, I rise again to support the remarks of the gentleman from Fayette, Senator Duffield. I could not agree more. I know that I almost always agree with my colleague from Fayette County and it is a pleasure to stand up here with him and fight the same battle.

Perhaps, Mr. President, if the gentleman and I work together we can put some thinking into the proposition he just advanced.

Mr. President, we are bound to follow the wishes of, for the most part, four members of that Conference Committee, rather than 253 Members of the General Assembly. The gentleman from Fayette, Senator Duffield, makes an excellent point. Why is it that we must sit back and wait and have four people out of six tell us what can and what cannot go into the budget?

I recognize that the gentleman from Philadelphia, Senator Smith, would do everything he could to try to accommodate those who have offered amendments. I know he is sincere in his efforts, but, frankly, Mr. President, there are many people with many interests throughout the Commonwealth, not only here in the Senate but in the House as well. We know the millions of dollars which can be brought forth by the tourist industry. Yet, we continue to put straps on them to hold them back and, in effect, say to them, "Even though you may create jobs in Pennsylvania, we must wait until the Conference Committee decides, in its wisdom, whether the priority of tourism in this Commonwealth, the second largest industry in the State, meets the test and meets the political clout of those who may have it."

I know the gentleman from Lackawanna, Senator Mellow, and the gentleman from Schuylkill, Senator Gurzenda, do, indeed, have large areas of tourism, and I do not see why we should abrogate our duty as Senators in representing the people at home when we have an opportunity here today to create jobs in Pennsylvania that are needed so desperately.

If the Conference Committee wants to look at the proposition when it gets there, if there is a Conference Committee, they can do it then. I recognize the gentleman from Philadelphia, Senator Smith, as Chairman of the Committee on Appropriations, has his job to do, but, Mr. President, we must represent our Districts too. When we are asked to vote "no" simply because the Conference Committee is the sole determiner of what shall go in and what shall go out, why do we need to be here at all? Why do we not turn it all over to the Conference Committee and forget bringing the bill out in the first place?

Senator MELLOW. Mr. President, I would have to point out that the gentleman from Blair, Senator Jubelirer, made the statement that we are holding back tourism. I must indicate to the gentleman that last year tourism in the Commonwealth received a \$500,000 increase which represented, at that particular time, about a thirty-three per cent increase over the previous year when each department and bureau was held substantially below that.

This \$700,000 represents a thirty-five per cent increase over last year's appropriation. Therefore, when you put the two together, we are talking about a sixty-eight per cent increase in a two-year period.

My main reason for requesting earlier that this particular amendment be defeated was because in the wisdom of the gentleman from Philadelphia, Senator Smith, several months ago he appointed a number of subcommittees. He appointed me to a subcommittee and that subcommittee was to hold public hearings dealing with the Department of Commerce, the Department of Community Affairs, the Department of Environmental Resources and the Department of Justice. I discussed with the gentleman from Philadelphia, Senator Smith, and his staff on several occasions increasing the amount of money allocated for tourism, either by \$500,000 or by \$700,000.

It is with this thought in mind, wanting to have that \$700,000 added into the budget as much as both the gentleman from Fayette, Senator Duffield, for whom I have a great deal of respect, and the gentleman from Blair, Senator Jubelirer. I know how important it is to them and it is very, very important to me.

Knowing this, Mr. President, I would still ask the Members not to support this particular amendment. I believe last year points it out better than ever when, on more than one occasion, we offered twelve Democrat votes to suspend the Rules to consider a budget and the other side of the aisle offered absolutely no votes to suspend the Rules to consider new budgets. Mr. President, we are asking now not to pass the amendment in order that it can be considered in the Conference Committee and I see absolutely nothing wrong with that.

Senator NOLAN. Mr. President, I would like to point out that last year, if my memory serves me correctly, we did suspend the Rules and we did amend a Conference Committee Report. Therefore, if there are any fears about amending a Conference Committee Report, once it is reported back to this floor, we can then vote to suspend the Rules.

Senator ANDREWS. Mr. President, I would not only agree with the gentleman from Fayette, Senator Duffield, in his remarks, but I would also remind the gentleman from Lackawanna, Senator Mellow, that "a bird in the hand is worth two in the bush" with respect to tourist promotion.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Blair, Senator Jubelirer.

I would bring to the gentleman's attention that historic Philadelphia also shares in tourist promotion. As Chairman of the Committee on Appropriations, I would be the first to offer the \$700,000 as the gentleman has done. However, there are many other problems we must face, and I would say to the gentleman but not him particularly, somewhere along the line, when we were asking for taxes, we say to the gentleman, "Where were you when we needed you?"

Mr. President, there are many problems we face in this budget and the gentleman is not turning over his authority to me. He is simply saying, "Come up with a realistic budget that the Members of the Senate can accept," and the gentleman is openly invited to attend any of the conferences we will have and I will personally, since I approve of this amendment, give the

gentleman full disclosure before that committee.

Senator JUBELIRER. Mr. President, I thank the gentleman and I appreciate his remarks very much. Just one last comment.

This is the one area, Mr. President, when we increase spending in tourist promotion, that is an investment in getting money. I do not know of any other item in the budget that would bring back the dollars that tourist promotion would for our taxes. The money that will be spent in Pennsylvania would more than compensate for that.

It is, frankly, refreshing and I appreciate the commitment of the gentleman from Philadelphia, Senator Smith, to support this but, hopefully, we will, in our wisdom, put it in the bill now.

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

(During the calling of the roll, the following occurred:)

Senator REIBMAN. Mr. President, having voted under a misapprehension, I would like to change my vote from "aye" to "no."

The PRESIDING OFFICER. The lady will be so recorded.

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

YEAS—21

Andrews, Bell, Corman, Dougherty, Duffield, Dwyer,	Fleming, Gekas, Hager, Hess, Holl,	Hopper, Howard, Jubelirer, Kusse, Manbeck,	Moore, Snyder, Stauffer, Tilghman, Zemprelli,
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NAYS—26

Arlene, Coppersmith, Early, Fumo, Gurzenda, Kury, Lewis,	Lynch, McCormack, McKinney, Mellow, Messinger, Murray, Nolan,	Noszka, O'Pake, Orlando, Reibman, Romanelli, Ross,	Scanlon, Schaefer, Smith, Stapleton, Stout, Sweeney,
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So the question was determined in the negative, and the amendment was defeated.

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

SWEENEY AMENDMENT

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

Amend Sec. 2, page 35, line 1, by striking out "1,266,000" and inserting: 1,766,000

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

Senator SWEENEY. Mr. President, the amendment is directed to page 34, line 30 and page 35, line 1. It, in effect, would restore the Senate cut to the level the House approved, which is to reinstate half a million dollars which is allocated for the operation of the Hollidaysburg Veterans' Home.

It is my understanding that that cut would preclude the operation of the new facility for the domiciliary care and outpatient care of veterans and also preclude the hiring of the staff necessary to man that installation in accordance with the Federal Veterans' Administration's standard of nursing care.

Mr. President, I urge my colleagues to vote affirmatively on this amendment and ask for a roll call vote.

Senator BELL. Mr. President, as the Minority Chairman of the Committee on Military Affairs and Aeronautics, I strongly support the amendment just submitted by the Majority Chairman of this committee.

There has been a pledge in the past given to the VFW and the American Legion that there be proper military veterans' homes in this Commonwealth and I do not like this being sabotaged tonight on the floor of this Senate.

Senator SMITH. Mr. President, I rise to oppose the amendment offered by the gentleman from Delaware, Senator Sweeney. I would bring to the attention of the Members of the Senate that a promise was made to the veterans of Pennsylvania that there would be three nursing homes throughout the Commonwealth.

The Chairman of the Committee on Appropriations is well aware of our commitment to the veterans and I can assure the Senate that the gentleman from Delaware, Senator Sweeney, will have input. I can assure the Senate that we will, within one year, have another veterans' home open.

I am simply saying, Mr. President, at this moment in time we must adjust the budget as it came from the House so we can put moneys in the proper place to support the veteran as he is entitled to be.

Mr. President, I ask for a "no" vote on this amendment.

Senator BELL. Mr. President, I ask for a "yes" vote because the amendment the gentleman from Delaware, Senator Sweeney, brought out on this floor is a moral obligation to those of our citizens who served in the Armed Forces of the United States when they were called.

I am going to say this, Mr. President: If this Conference Committee omits the veterans, they will answer to the veterans.

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

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

YEAS—24

Andrews, Bell, Corman, Duffield, Dwyer, Early,	Fleming, Gekas, Hager, Hess, Holl, Hopper,	Howard, Jubelirer, Kelley, Kusse, Manbeck, Moore,	Schaefer, Snyder, Stauffer, Stout, Sweeney, Tilghman,
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NAYS—24

Arlene, Coppersmith, Dougherty, Fumo, Gurzenda, Kury,	Lewis, Lynch, McCormack, McKinney, Mellow, Messinger,	Murray, Nolan, Noszka, O'Pake, Orlando, Reibman,	Romanelli, Ross, Scanlon, Smith, Stapleton, Zemprelli,
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So the question was determined in the negative, and the amendment was defeated.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

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

On the question,
Shall the bill pass finally?

Senator O'PAKE. Mr. President, it is now 7:07 p.m. on April 18, 1978, and I have no other way to express my objection and dissatisfaction to this budget than to make these few brief remarks.

I must agree with the prior remarks of my colleague from Fayette, Senator Duffield, the gentleman from Westmoreland, Senator Kelley, and others and strongly object to the way in which the General Assembly is handling the general operating budget again this year.

I thought we learned a lesson from last year's sorry experience. When that was over, I thought we learned that the people of Pennsylvania expected a change in the way we do things here, especially a change in the budget-making process.

I realize, Mr. President, the House is waiting to nonconcur because we did to them what they did to us last year, namely, attempt to abolish them. They want to go home because it is an election year and Members here want to go home because it is an election year. I have no doubt the six conferees will listen to the suggestions we will make over the next few weeks. I also realize that we have eleven more weeks until the beginning of the new fiscal year, which is our deadline.

However, I think the procedure is wrong. The people elected all of us to write a budget not just six conferees and doing our job here is the best way to campaign.

Senator COPPERSMITH. Mr. President, I have a little different perspective than the gentleman from Berks, Senator O'Pake. I have some criticisms of the budget but I think this year we did have a much more meaningful way of getting some input into the budget. I would like to compliment the Chairman of the Committee on Appropriations for creating the subcommittee setup. We were able to do some intensive questioning of the executive officials and I think, even though time was short and we could not do the work to the extent we wanted to in determining answers to questions, we have started on the right track. I think if we continue the procedure that has been outlined, we will have much more significant legislative input into the budget.

Senator KELLEY. Mr. President, I disagree vehemently with the gentleman from Cambria, Senator Coppersmith, and embrace the comments of the gentleman from Berks, Senator O'Pake.

The question is, even though it may have been an improvement this year, thus far, the point the gentleman from Berks, Senator O'Pake, makes is that there are fifty Members of this Body all of whom have an equal responsibility and only a minority of us, twenty, serve on the Committee on Appropriations.

I believe that we have all reneged on that responsibility by letting this occur which is occurring today. I cannot answer to my constituents.

I am going to protest additionally. Other than speaking, I am going to vote against this budget and I vehemently will vote against any Conference Committee Report that does not reflect the kind of budget I can believe in and live with, but it is going to be awfully frustrating not having been able to make any kind of input.

Last night, Mr. President, I stayed up, as I said earlier, to prepare amendments and I only got to page 12. It is physically impossible for any one of us to make the kind of input for which we are all responsible. I only hope and pray that we can overcome the obstacles that were built into this process. I do not know what will happen next year. Maybe we will be better off. Last year we went to one extreme, this year to the other extreme. Maybe next year it will work out better, hopefully it will.

Senator KURY. Mr. President, I too shall be very brief, but I would like to make just a comment or two.

I understand the realities of the Senate and of the Legislature. I suppose no matter what we do here today this will go into Conference Committee, therefore, I will vote for this budget as it is now only because it is definitely going into Conference Committee. If it would not go into a Conference Committee, I would vote against this budget. I say this without any reflection on the Committee on Appropriations because I believe that they brought the bill out with the intention of going into Conference Committee.

However, Mr. President, a budget is really a blueprint of our priorities for this Commonwealth of Pennsylvania. The budget is really the ultimate in policy-making because where you put your money indicates where you think the activity should be.

As I look at this budget the thing that strikes me most is that it is very much out of balance. As I review this budget, this budget is weighted very, very heavily in favor of education. We all know education is important, but there are other things which are equally important that I think have been lost in this budget.

I believe to weight a budget in favor of one program at the expense of other important programs could be very detrimental. I look particularly at law enforcement, mental health, revenue, the Historical Museum Commission and the Department of Environmental Resources and I am very disturbed.

I think particularly of the Department of Environmental Resources. This State has been leading this country so long among the states in environmental programs. I think of all the programs we passed in the late sixties and early seventies to protect our environment and I look at what we are doing with the budget the way it is drafted now.

If this bill were to become law, the Department of Environmental Resources would have \$4 million less for the coming year than they had last year, yet we ask them to carry the very heavy responsibilities for operating State Parks, for protecting the air, the land and the water and all the other things we value so highly in this great State. The way the bill is drafted now with regard to the environment, it is a retreat and abandonment of our dedication to preserving our environment. That is

just one major area where I think this budget needs balance and I am hopeful, Mr. President, that our Committee on Appropriations and the Conference Committee would take this budget and give it the balance it needs so that we deal with all our important programs—education, mental health and environmental resources and all the rest in the proper balance. That balance is now lacking and unless we have it we should not pass this budget.

Senator BELL. Mr. President, I listened to the gentleman from Berks, Senator O'Pake, and I thoroughly agree with him, because apparently the scheme of things—and somebody must have the votes or they would not have rammed this thing through the way it was—is that there is not going to be an input into this budget except from the conferees. Normally—and I sat through twenty-four years of Legislatures and probably about nineteen budget years because we used to have a biennial budget—there is input into the budget on the floor of the House and the Senate. Then when the conferees meet they have some sense of how the Senate feels.

As I watched these votes, and sometimes I voted with Republicans and sometimes I voted against them, I do not believe there is anyone in this Senate who has the feel of the fifty Senators. Oh, I think the big wheels on the Committee on Appropriations have the feel of what they want, but the little peons who are not in that leadership were denied input today by the fact the Majority Party had their ducks lined up in a row. That is one way to do things.

Mr. President, I am going to predict something: The differences which could have been ironed out today, tomorrow, the next day—there is nothing magic on running home on Wednesdays—on the floor in open debate with an exchange of ideas are going to end up in horrendous fights in the Majority Party caucus when they try to punch through the Conference Committee Report.

Senator DUFFIELD. Mr. President, in line with my remarks yesterday, I am going to vote against this budget on the basis that it calls for an increase of approximately \$400 million in spending over last year.

We increased the income tax last year and I voted for it because last year I felt we needed the money to pay for the colleges and universities. If this is a balanced budget, apparently we have \$400 million more to spend this year than we did last year with no tax increase, which looks nice. However, if we have that money I feel we should reduce the taxes to two per cent which would merely take \$134 million away from the budget and still have a \$270 million increase in the budget.

I believe the taxpayers need a break this year, as in all years, and I think we should give them the credit of that even if it will cut the budget considerably. As was stated by either the gentleman from Berks, Senator O'Pake, or the gentleman from Northumberland, Senator Kury, the budget is top heavy with education. There is no question that we need money for education. We can have \$50 million to promote teachers' salaries and union bargaining on the basis they are receiving this money and that amounts to approximately .01 per cent of the income tax which is being paid by the people of Pennsylvania.

I would have liked to have gone into this more. Last year

there was great dismay because we took so long to enact a budget. Yet, if we had accepted the original budget in April, May or June of last year, it would have been a couple of hundred million dollars higher than it was when it eventually passed. We would have had to have a 2.3 per cent income tax in order to meet it. Therefore, the length of time spent on the budget last year really saved the taxpayers some money.

I am very reluctant to vote for a budget that calls for a \$400 million increase. I do not believe this is a budget. It is a piece of paper we are voting on so the Conference Committee can get together. If they take up all the promises they have made to the Senators, this budget will certainly not appear before us again in any shape or form the way it is now.

Why vote for a phony piece of paper when everybody admits that the only purpose we are voting for the thing is to get it to a Conference Committee? We are not voting for a budget; we are not voting for spending \$5.8 billion.

We are voting on a piece of paper which is used as a vehicle to send the budget to a joint committee of the House and Senate. It is phony; it is beyond all reason in doing this. Basically, though, I feel we should survey more acutely the large increase in spending in this budget, roughly \$400 million or almost one-half of \$1 billion.

Senator STAUFFER. Mr. President, I also wish to endorse the remarks of the gentleman from Berks, Senator O'Pake. I am amazed at the willingness of the Senate of Pennsylvania to disenfranchise itself from one of the most important governmental processes we have as Legislators.

It seems we are becoming so accustomed to having a Conference Committee write the budget each year that what we are doing is entering into nothing more than a charade as we consider the budget each year. I feel if we are going to continue on this path, probably the best thing we could do would be to come in at the beginning of each Session in January and, as a first order of business, merely appoint a Conference Committee and totally ignore the process of considering the bill. Quite obviously, we appear to be shirking the responsibility we have in refusing to engage in one of our most important duties.

Mr. President, I hope we can reverse this trend and when we come back next year, we can once again begin to have all fifty Members of the Senate participate in the budget process.

Senator MESSINGER. Mr. President, I think the gentleman from Chester, Senator Stauffer, has given us an excellent idea. Perhaps it would be good to have the Conference Committee begin in January.

We will recall last year, during the budget-making process, the Conference Committee issued about six reports because those reports were rejected by the Senate and sent back to the Conference Committee. We will have that opportunity again regardless of who is on the Conference Committee.

We could stay here for a whole year and argue budget because each of us, I am sure, has special interests. I think we could never reconcile the differences on the floor until we have a vehicle which will be the report of the Committee of Conference. As we well know, if the report is not satisfactory to the majority of the Members, they can reject it. At least we will have something more definite to put our fingers into and find

out whether or not it is satisfactory.

Senator KELLEY. Mr. President, I believe the gentleman from Lehigh, Senator Messinger, is missing a point which is intrinsic in a Conference Committee. The conferees representing the Senate would be so much better able to understand the consensus of this Senate had we given it the deliberation it was due. The fact is we are not doing that and they will not be sensitive to what the consensus of this Senate is.

We all know that ultimately it may well go to a Conference Committee, but how it gets there is extremely important in my judgment. How it gets there is going to reflect the kind of substance that comes back to us in a Conference Committee Report.

I only have hopes that it works out well because I hope everything works out well. However, I do not, thus far, foresee it getting off to a very good start.

And the question recurring,
Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

PARLIAMENTARY INQUIRY

Senator SMITH. Mr. President, may we be at ease.
The PRESIDING OFFICER. The Senate will be at ease.
(The Senate was at ease.)

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

The PRESIDING OFFICER. We are in the middle of a roll call, Senator. Anything at this point would be out of order.

Senator KELLEY. Mr. President, I then have a point of order. How can we be at ease if we are in the middle of a roll call when, under Mason's Rules and the Rules of the Senate, during the calling of the roll and the announcement of the vote, nothing else is in order? I do not understand how we can be at ease if that is the case.

The PRESIDING OFFICER. By the ruling of the Chair upon the request of one Senator. It does not change the fact that the roll call is still the only order of business before us at this moment.

Senator KELLEY. Mr. President, would a motion to adjourn be in order?

The PRESIDING OFFICER. No, Senator.

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

YEAS—23

Arlene,	Lewis,	Murray,	Scanlon,
Coppersmith,	Lynch,	Noszka,	Smith,
Dougherty,	McCormack,	Orlando,	Stapleton,
Fumo,	McKinney,	Reibman,	Stout,
Gurzenda,	Mellow,	Romanelli,	Zemprelli,
Kury,	Messinger,	Ross,	

NAYS—25

Andrews,	Gekas,	Jubelirer,	O'Pake,
Bell,	Hager,	Kelley,	Schaefer,
Corman,	Hess,	Kusse,	Snyder,
Duffield,	Holl,	Manbeck,	Stauffer,

Dwyer,	Hopper,	Moore,	Sweeney,
Early,	Howard,	Nolan,	Tilghman,
Fleming,			

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

RECONSIDERATION OF HB 2246

PREFERRED APPROPRIATION

BILL OVER IN ORDER ON FINAL PASSAGE

HB 2246 (Pr. No. 3068) — Senator MESSINGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2246, Printer's No. 3068, just failed of final passage.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

Senator MESSINGER. Mr. President, I request that House Bill No. 2246 go over in its order and appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, the bill will be placed on tomorrow's Final Passage Calendar.

PERSONAL PRIVILEGE

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

The PRESIDING OFFICER. The gentleman from Dauphin, Senator Gekas, will state it.

Senator GEKAS. Mr. President, I would like to report to the Senate, although there is little illumination in the Chamber of the Senate this evening, I am proud to announce that there is more illumination than ever before on the Capitol grounds. The dome is lighted for the first time in a long period of time. This will not only enhance the beauty of the Capitol but will afford more safety in approaching the various cars on the parking lot.

Let us hope that this is a sign of new illumination in the Senate of Pennsylvania.

Senator MESSINGER. Mr. President, some of the people on this side of the aisle would like to know where the gentleman from Dauphin, Senator Gekas, parks his car.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 283 (Pr. No. 285) — 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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,

Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

BILL ON THIRD CONSIDERATION AMENDED

SB 720 (Pr. No. 1687) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 1202), page 2, lines 29 and 30; page 3, line 1, by striking out "and without regard" in line 29 and all of line 30, page 2; "or negligent act or omission;" in line 1, page 3

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

SB 721 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON THIRD CONSIDERATION AMENDED

SB 722 (Pr. No. 766) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 702), page 2, lines 21 through 23, by striking out "and without regard to whether" in line 21, all of line 22, and "act or omission," in line 23

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 723, 724, 1025, 1026, 1027, 1151 and HB 1190 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1311 (Pr. No. 1637) — 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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

BILL RECOMMITTED

SB 1340 (Pr. No. 1783) — Upon motion of Senator MESSINGER, and agreed to, the bill was recommitted to the Committee on Finance.

BILLS OVER IN ORDER

SB 1341 — Without objection, the bill was passed over in its order at the request of Senator HAGER.

HB 1507 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1566 (Pr. No. 1884) — 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—48

Andrews,	Gurzenda,	Manbeck,	Romanelli,
Arlene,	Hager,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fleming,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Orlando,	Tilghman,
Gekas,	Lynch,	Reibman,	Zemprelli,

NAYS—0

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

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

HB 1805 (Pr. No. 2436) — 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—48

Andrews,	Manbeck,	Romanelli,
Arlene,	McCormack,	Ross,
Bell,	McKinney,	Scanlon,
Coppersmith,	Mellow,	Schaefer,
Corman,	Messinger,	Smith,
Dougherty,	Moore,	Snyder,
Duffield,	Murray,	Stapleton,
Dwyer,	Nolan,	Stauffer,
Early,	Noszka,	Stout,
Fleming,	O'Pake,	Sweeney,
Fumo,	Orlando,	Tilghman,
Gekas,	Reibman,	Zemprelli,
Guزندا,		
Hager,		
Hess,		
Holl,		
Hopper,		
Howard,		
Jubelirer,		
Kelley,		
Kury,		
Kusse,		
Lewis,		
Lynch,		

NAYS—0

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

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

HB 2046 (Pr. No. 2571) — 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—48

Andrews,	Manbeck,	Romanelli,
Arlene,	McCormack,	Ross,
Bell,	McKinney,	Scanlon,
Coppersmith,	Mellow,	Schaefer,
Corman,	Messinger,	Smith,
Dougherty,	Moore,	Snyder,
Duffield,	Murray,	Stapleton,
Dwyer,	Nolan,	Stauffer,
Early,	Noszka,	Stout,
Fleming,	O'Pake,	Sweeney,
Fumo,	Orlando,	Tilghman,
Gekas,	Reibman,	Zemprelli,
Guزندا,		
Hager,		
Hess,		
Holl,		
Hopper,		
Howard,		
Jubelirer,		
Kelley,		
Kury,		
Kusse,		
Lewis,		
Lynch,		

NAYS—0

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

Ordered, That the Clerk return said bill to the House of Rep-

resentatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 86 and 87 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 147 (Pr. No. 160) and HB 217 (Pr. No. 2327) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 261, 329, 330 and HB 338 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 374 (Pr. No. 378) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 418 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 578 (Pr. No. 1782) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 817 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION AMENDED

SB 916 (Pr. No. 1732) — The bill was considered,

On the question,

Will the Senate agree to the bill on second consideration? Senator ANDREWS offered the following amendment:

Amend Sec. 1 (Sec. 315), page 2, line 29, by removing the period after "eligibility" and inserting: , and shall mean a person who is permanently disabled. Proof that a person is eligible to receive disability benefits under the Federal Social Security Act shall constitute proof of disability for the purpose of this act. A person not covered under the Federal Social Security Act shall be examined by a physician designated by the department and such status determined using the same standards used by the Social Security Administration.

On the question,

Will the Senate agree to the amendment?

Senator ANDREWS. Mr. President, This is a relatively simple amendment. It adds those who are on disability to the bill. It uses the same definition which occurs in the Property Tax Assistance Act with respect to disability. From using their records, they indicate it would cost approximately \$960,000.

Senator HAGER. Mr. President, I had not realized there would be a roll call vote. It is with some sincere regret that I speak against this amendment.

I understand and feel for handicapped persons. On the other hand, we are so loading the taxpayers of this State as it is and this will call for every other taxpayer to add, not only to the burden which he is being asked to accept for the elderly, but now for all handicapped people. I believe it is a laudable exercise, a laudable thing to do, but I do not know how we can continue to ask the taxpayers to pick up more and more burden.

Therefore, I ask for a negative vote on the amendment.

Senator ANDREWS. Mr. President, I do not argue with the Minority Leader very often. I would just remind the gentleman that the cost of this is approximately \$960,000. It is for a worthwhile cause and I would not think that, with the billions that we spend, \$960,000 is any kind of significant amount.

Senator BELL. Mr. President, I have followed pretty closely the rulings of the Pennsylvania Public Utility Commission and the requests for rate increases by the public utility companies. The way the increases are going through after being applied for, I think there is going to be quite a bit more money coming to the Commonwealth on that 4.5 per cent gross receipts tax on the public utilities. Surely, if we are going to tax all who use the utilities, we should give a break to the disabled as well as the elderly.

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

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

YEAS—44

Andrews,	Gekas,	McCormack,	Romanelli,
Arlene,	Gurzenda,	McKinney,	Ross,
Bell,	Hess,	Mellow,	Scanlon,
Coppersmith,	Holl,	Messinger,	Schaefer,
Corman,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Stapleton,
Duffield,	Kelley,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Lewis,	O'Pake,	Sweeney,
Fleming,	Lynch,	Orlando,	Tilghman,
Fumo,	Manbeck,	Reibman,	Zemprelli,

NAYS—4

Hager,	Hopper,	Kusse,	Snyder,
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So the question was determined in the affirmative, and the amendment was agreed to.

The PRESIDING OFFICER. Senate Bill No. 916 will go over, as amended.

BILLS OVER IN ORDER

SB 996, 1008, HB 1069, 1070, 1071, SB 1140 and 1148 —

Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 1199 (Pr. No. 1796) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 1025, SB 1228 and HB 1238 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 1255 (Pr. No. 1544) and SB 1257 (Pr. No. 1546) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 1270 and 1273 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 1308 (Pr. No. 1634), SB 1326 (Pr. No. 1814), SB 1364 (Pr. No. 1792), SB 1368 (Pr. No. 1725), SB 1369 (Pr. No. 1726) and SB 1378 (Pr. No. 1784) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1391 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 1579 (Pr. No. 3016) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1731 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 1802 (Pr. No. 2796), HB 1851 (Pr. No. 2742), HB 1854 (Pr. No. 2262), HB 1856 (Pr. No. 2264) and HB 1858 (Pr. No. 2266) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1939 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 2103 (Pr. No. 2740) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

UNFINISHED BUSINESS
REPORTS FROM COMMITTEE

Senator O'PAKE, from the Committee on Judiciary, reported, as committed, **SB 1425**; as amended, **SB 1094**.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Paul T. Zink by Senator Hess.

Congratulations of the Senate were extended to Mr. and Mrs. Ray E. Beamer by Senator Hopper.

Congratulations of the Senate were extended to Reverend Father Charles A. Nelson by Senator Bell.

Congratulations of the Senate were extended to Dr. K. Roald Bergethon and to the Very Reverend J. Stewart Dooling by Senator Reibman.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel E. Furl and to Mrs. Emma Sharar Harinton By Senator Hager.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Fuss by Senator Sweeney.

Congratulations of the Senate were extended to Brigadier General Anthony R. Flores by Senator O'Pake.

Congratulations of the Senate were extended to the Very Reverend J. Stuart Dooling by Senators O'Pake and Messinger.

Congratulations of the Senate were extended to Mr. and Mrs. Gurney Westover by Senator Corman.

Congratulations of the Senate were extended to Robert Frank Arista by Senator Stout.

BILLS ON FIRST CONSIDERATION

Senator MESSINGER. Mr. President, I move that 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 1094, 1217, 1280, 1416 and 1425.

And said bills having been considered for the first time, Ordered, To be laid aside for second consideration.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 320, 598, 650, 656, 663, 749, 953, 1000, 1304 and 1323.

**NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE**

He also presented communications in writing from His Excel-

lency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

COMMISSIONER OF DEEDS

April 18, 1978.

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 Ms. Sandra M. Martin, 420 Allison Country Club Apartments, Marlton, Burlington County 08043, New Jersey, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New Jersey, to serve the term of five years, to compute from the date of confirmation.

MILTON J. SHAPP.

**MEMBERS OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE**

April 18, 1978.

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 the following for appointment as members of the Huntingdon County Board of Assistance:

Mrs. Patricia M. Kann (Democrat), Warrior Oaks, R. D. #1, Huntingdon 16652, Huntingdon County, Thirtieth Senatorial District, to serve until December 31, 1979, and until her successor is duly appointed and qualified, vice Mrs. Anna M. Alesi, Mount Union, resigned.

Michael Raymond Miller (Democrat), 211 Spruce Street, Huntingdon 16652, Huntingdon County, Thirtieth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Mrs. Margaretta Reese, Huntingdon, resigned.

MILTON J. SHAPP.

**MEMBERS OF THE SOMERSET COUNTY
BOARD OF ASSISTANCE**

April 18, 1978.

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 the following for reappointment as members of the Somerset County Board of Assistance:

Dale Gower (Democrat, R. D. #3, Confluence, 15424, Somerset County, Thirty-second Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

Mrs. Dorothy Reffner (Republican), R. D. #2, Friedens 15541, Somerset County, Thirty-second Senatorial District, to serve until December 31, 1980, and until her successor is duly appointed and qualified.

Nathan Rascona (Democrat), 113 East Main Street, Somerset 15501, Somerset County, Thirty-second Senatorial District, to serve until December 31, 1980, and until his successor is duly appointed and qualified.

MILTON J. SHAPP.

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS**

The Clerk of the House of Representatives being introduced,

informed the Senate that the House has concurred in amendments made by the Senate to **HB 76, 816, 1131, 1250, 1251, 1265, 1267, 1268 and 1649.**

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate **SB 651, 658, 1114, 1118 and 1122,** with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

Recess Adjournment.

The PRESIDENT pro tempore (Martin L. Murray) in the Chair.

BILLS SIGNED

The President pro tempore (Martin L. Murray) in the presence of the Senate signed the following bills:

SB 651, 658, 1114, 1118, 1122, HB 72, 76, 816, 1131, 1250, 1251, 1265, 1267, 1268, 1649, 2030 and 2192.

The PRESIDING OFFICER (H. Craig Lewis) in the Chair.

COMMITTEE OF CONFERENCE APPOINTED ON HB 858

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Senators **MESSINGER, ROSS and JUBELIRER,** as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 858.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, APRIL 19, 1978

- 9:30 A.M. Subcommittee on STATE GOVERNMENT (Public Hearing for receiving testimony regarding development of Ethics Legislation) Senate Majority Caucus Room
- 9:30 A.M. JUDICIARY (Hearing on the nomination of Eugene Room 350

J. Ianuzzi to the Court of Common Pleas of Blair County)

- 10:00 A.M. CONSUMER AFFAIRS (to consider House Bill No. 191) Senate Minority Caucus Room
- 10:30 A.M. LABOR AND INDUSTRY (to consider Senate Bill No. 1432) Room 286

THURSDAY, APRIL 20, 1978

- 9:30 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing on Senate Bills No. 1229 and 1230) Senate Majority Caucus Room
- 10:30 A.M. URBAN AFFAIRS AND HOUSING (Public Hearing to determine the Commonwealth's role in stimulation of urban development and rehabilitation and to review the Housing & Redevelopment Assistance Program) County Commissioner's Hearing Room, Allentown, PA.
- 4:30 P.M.

FRIDAY, APRIL 21, 1978

- 10:30 A.M. URBAN AFFAIRS AND HOUSING (Public Hearing to determine the Commonwealth's role in stimulation of urban development and rehabilitation and to review the Housing & Redevelopment Assistance Program) City Council Chambers, Wilkes-Barre, PA.
- 4:30 P.M.

WEDNESDAY, APRIL 26, 1978

- 9:00 A.M. FINANCE (Public Hearing to consider Senate Bills No. 889, 890, 891 and 1271) Franklin Institute Research Lab., Rm. 104-105, Philadelphia, PA

THURSDAY, APRIL 27, 1978

- 10:30 A.M. URBAN AFFAIRS AND HOUSING (Public Hearing to determine the Commonwealth's role in stimulation of urban development and rehabilitation and to review the Housing & Redevelopment Assistance Program) City Council Chambers, Erie, PA.
- 4:30 P.M.

FRIDAY, APRIL 28, 1978

- 10:30 A.M. URBAN AFFAIRS AND HOUSING (Public Hear-

4:30 P.M. ing to determine the Commonwealth's role in stimulation of urban development and rehabilitation and to review the Housing & Redevelopment Assistance Program)

County
Court House,
Pittsburgh, PA.

WEDNESDAY, MAY 3, 1978

9:00 A.M. FINANCE (Public Hearing on Senate Bills No. 889, 890, 891 and 1271)

Gold Room,
Allegheny
County
Court House,
Pittsburgh, PA.

TUESDAY, MAY 23, 1978

12:30 P.M. AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 1428, 1430 and House Bill No. 2115)

Room 182

ADJOURNMENT

Senator MESSINGER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 19, 1978, at 11:30 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 8:30 p.m., Eastern Standard Time.