

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MARCH 31, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 17

SENATE

TUESDAY, March 31, 1981.

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

THE PRESIDING OFFICER (Richard A. Snyder) in the Chair.

PRAYER

The Chaplain, the Reverend SHERIDAN W. BELL, former Pastor of Grace Methodist Church, Harrisburg, offered the following prayer:

O gracious God, we are grateful for this day, that it means life to us and liberty.

We are grateful that the night did not bring more tragedy to us as a Nation. We pray for our President's health and for those around him who were wounded.

Help us to cast aside the quality of life that is distorting and mean and vicious. Bring to us the dignity that our Nation should rightly have.

Our Commonwealth has had distinguished years and through them all there is this vision of tolerance and kindness and decency and honor and truth, so fill us with Thy spirit, bless us with this day's deliberations and tonight's peace and tomorrow's promise. In Thy name we pray. Amen.

THE PRESIDING OFFICER. The Chair thanks Reverend Sheridan Bell for his most appropriate prayer. He is the guest this week of Senator George Gekas.

STATEMENT BY THE CHAIR

THE PRESIDING OFFICER. Pursuant to Senate Rule V, Section 2, the President pro tempore designated me as Presiding Officer of the Senate for today's Session by a letter dated today.

JOURNAL APPROVED

THE PRESIDING OFFICER. 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 JUBELIRER, further reading was dispensed with, and the Journal was approved.

SENATOR JUBELIRER TO VOTE FOR SENATOR HELFRICK AND SENATOR HAGER

Senator JUBELIRER. Mr. President, I respectfully request a legislative leave for Senator Helfrick, who is accompanying the Governor on the visit to the Centralia mine fire site at this time.

Mr. President, I would also request a legislative leave of absence for Senator Hager, who is meeting in Philadelphia with State, municipal officials and representatives at noon today. I will be voting them.

THE PRESIDING OFFICER. The Chair hears no objection and the leaves are granted.

LEAVES OF ABSENCE

Senator ZEMPRELLI asked and obtained leaves of absence for Senators BODACK, SINGEL, ANDREZESKI and ROSS, for today's Session, for personal reasons.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Weekly Adjournment.

GENERAL COMMUNICATIONS

LISTS OF LOBBYISTS AND ORGANIZATIONS

THE PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

SENATE OF PENNSYLVANIA

March 31, 1981

To the Honorable, the Senate of the Commonwealth of Pennsylvania

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from February 1, 1981 to March 30, 1981 inclusive for the 165th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
 W. THOMAS ANDREWS  
 Secretary of the Senate  
 JOHN J. ZUBECK  
 Chief Clerk  
 House of Representatives

(See Appendix for complete list.)

**PROBATE, ESTATES AND  
 FIDUCIARIES CODE, PROPOSED  
 AMENDMENTS AND COMMENTS—1981**

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

**JOINT STATE GOVERNMENT COMMISSION**

March 31, 1981

To the Honorable, the Senate  
 of the General Assembly of the  
 Commonwealth of Pennsylvania

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the publication Probate, Estates and Fiduciaries Code, Proposed Amendments and Comments—1981 and Proposed Revision of Inheritance Tax Laws and Codification of Chapter 17, Title 72 of Pennsylvania Consolidated Statutes.

Copies of this publication for members of the Senate have been placed in their post office boxes.

Respectfully submitted,  
 WILLIAM D. HUTCHINSON  
 Chairman

The PRESIDING OFFICER. A copy of this report will be printed in the Appendix.

**REPORTS FROM COMMITTEES**

Senator FISHER, from the Committee on Environmental Resources and Energy, reported, as committed, **SB 14**, **343** and **HB 124**.

Senator HOLL, from the Committee on Banking and Insurance, reported, as committed, **SB 314** and **HB 89**.

Senator GEKAS, from the Committee on Judiciary, reported, as committed, **HB 326**; as amended, **SB 124**.

**RESOLUTIONS REPORTED FROM  
 COMMITTEES**

Senator HOWARD, from the Committee on Finance, reported without amendment, Senate Resolution, **Serial No. 31**, entitled:

Directing Senate Finance Committee investigate financial management of Public School Employees' Retirement Fund

and operations of Public School Employees' Retirement Board.

Senator GEKAS, from the Committee on Judiciary, reported without amendment, Senate Concurrent Resolution, **Serial No. 211**, entitled:

Urging General Assembly reject sentencing guidelines adopted by the Pennsylvania Commission on Sentencing.

The PRESIDING OFFICER. The resolutions will be placed on the Calendar.

**PERMISSION TO ADDRESS SENATE**

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

Senator GEKAS. Mr. President, I rise and read in place the three bills that we are introducing on behalf of the gentleman from Lancaster, Senator Snyder; the gentleman from Dauphin, Senator Gekas; the lady from Northampton, Senator Reibman; the gentleman from Westmoreland, Senator Kelley; and others, which is the result of the task force work on decedents' estates.

**BILLS INTRODUCED AND REFERRED**

Senators GREENLEAF, ANDREZESKI and PECORA presented to the Chair **SB 603**, entitled:

An Act regulating the licensing, inspection and operation of ambulance services, and ambulance personnel, providing for renewal and revocation of licenses and providing penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 31, 1981.

Senator SCANLON presented to the Chair **SB 604**, entitled:

An Act making an appropriation to the Civic Light Opera Association of Greater Pittsburgh.

Which was committed to the Committee on APPROPRIATIONS, March 31, 1981.

Senators LOEPER, ZEMPRELLI, JUBELIRER, EARLY, LEWIS and HANKINS presented to the Chair **SB 605**, entitled:

An Act providing for expanded services to the aged, infirm and others; for development of payment methodology; for promotion of efficiency incentives and cost controls; for resolution of program disputes; for fiscal control over promulgation of rules and regulations; and for content of provider agreement.

Which was committed to the Committee on AGING AND YOUTH, March 31, 1981.

Senators PECORA, LOEPER, SHAFFER, HELFRICK, FISHER and BODACK presented to the Chair **SB 606**, entitled:

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," requiring certain Commonwealth reimbursements.

Which was committed to the Committee on FINANCE, March 31, 1981.

Senators PECORA, LOEPER, SHAFFER, HELFRICK, FISHER, ROMANELLI and BODACK presented to the Chair **SB 607**, entitled:

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), entitled "Second Class County Assessment Law," providing for the reimbursement by the Commonwealth for extra expenses incurred in order to achieve real estate tax assessment reform.

Which was committed to the Committee on FINANCE, March 31, 1981.

Senators HOPPER, STAUFFER, PRICE, REIBMAN, MANBECK, ROSS, PECORA, HESS, O'CONNELL, JUBELIRER, MELLOW, ZEMPRELLI, CORMAN, GEKAS, MOORE, LOEPER, HAGER, FISHER, HANKINS, MESSINGER, SCANLON, EARLY and KELLEY presented to the Chair **SB 608**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," allowing policyholders ten days in which to examine certain contracts before being bound thereby.

Which was committed to the Committee on BANKING AND INSURANCE, March 31, 1981.

Senator MOORE presented to the Chair **SB 609**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, adding provisions relating to the valuation and assessment of real property subject to local taxation, imposing duties on the Department of Community Affairs, requiring certification of chief assessors and assessors, creating an Assessment Review Board, prescribing penalties and making repeals.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senator MOORE presented to the Chair **SB 610**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making it illegal to seed clouds with silver iodide.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 31, 1981.

Senator MOORE presented to the Chair **SB 611**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making it illegal to sell silver iodide without notifying the Department of Agriculture.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 31, 1981.

Senators MESSINGER, KELLEY, BODACK, SMITH and PECORA presented to the Chair **SB 612**, entitled:

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), entitled "Volunteer Firemen's Relief Association Act," providing for the purchase of home alert monitors.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senators MESSINGER, KELLEY, BODACK and SMITH presented to the Chair **SB 613**, entitled:

An Act relating to marriage and family counselors, alcohol and drug abuse counselors and mental health counselors; requiring licensing of individuals who use the title of or advertise the service of marriage and family counseling, alcohol and drug abuse counseling or mental health counseling in the Commonwealth of Pennsylvania; providing definitions; providing exemptions; creating a board to be known as the Counseling and

Human Services Board; prescribing the membership, duties and powers of said board; providing for issuance and revocation of licenses and fixing penalties for violation and making an appropriation.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 31, 1981.

Senator RHOADES presented to the Chair **SB 614**, entitled:

An Act making an appropriation to the Schuylkill County Council for the Arts.

Which was committed to the Committee on APPROPRIATIONS, March 31, 1981.

Senators HELFRICK, KUSSE, PRICE, STAUFFER, PECORA, ROSS, STAPLETON, ANDREZESKI, SHAFFER, LOEPER, RHOADES, MOORE and STREET presented to the Chair **SB 615**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing penalties for driving under the influence of liquor or drugs.

Which was committed to the Committee on TRANSPORTATION, March 31, 1981.

Senators HESS, HOLL and KUSSE presented to the Chair **SB 616**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing maximum sentences for certain offenders.

Which was committed to the Committee on JUDICIARY, March 31, 1981.

Senators O'CONNELL, GREENLEAF, HESS, SNYDER, SHAFFER and FISHER presented to the Chair **SB 617**, entitled:

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled "The Local Tax Enabling Act," raising the authorized level for exemption from the per capita tax.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senators O'CONNELL, MURRAY, MANBECK and HELFRICK presented to the Chair **SB 618**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership and termination of annuities.

Which was committed to the Committee on STATE GOVERNMENT, March 31, 1981.

Senators O'CONNELL, HESS, MURRAY, MANBECK, RHOADES, ROSS and HELFRICK presented to the Chair **SB 619**, entitled:

An Act amending the act of October 4, 1978 (P. L. 864, No. 167), entitled "Storm Water Management Act," further providing for grants and reimbursements.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 31, 1981.

Senator O'CONNELL presented to the Chair **SB 620**, entitled:

An Act amending the act of June 24, 1968 (P. L. 237, No. 111), entitled "Policemen and Firemen Collective Bargaining Act," to further define the employees of the Commonwealth of Pennsylvania who are covered by the act.

Which was committed to the Committee on LABOR AND INDUSTRY, March 31, 1981.

Senators O'CONNELL, CORMAN, ANDREZESKI, EARLY, MESSINGER and PECORA presented to the Chair **SB 621**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing the name of the Capitol Police, Commonwealth Property Police and the Campus Police and extending protection to the Scranton Office Building.

Which was committed to the Committee on STATE GOVERNMENT, March 31, 1981.

Senators O'CONNELL, ANDREZESKI, HESS, MURRAY, MESSINGER, HELFRICK and PECORA presented to the Chair **SB 622**, entitled:

An Act amending the act of May 14, 1915 (P. L. 524, No. 227), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," specifically including damage or destruction from flood and flood-related hazards, providing for additional revenues for the fund, increasing the amount which may be retained by the fund before the excess is transferred to the General Fund and making certain editorial changes.

Which was committed to the Committee on STATE GOVERNMENT, March 31, 1981.

Senators FISHER, PECORA and BODACK presented to the Chair **SB 623**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sale Law," exempting second class counties from the requirement to establish Tax Claim Bureaus and further providing for returns by tax collectors.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senators FISHER and STOUT presented to the Chair **SB 624**, entitled:

An Act amending the act of February 1, 1966 (1965 (P. L. 1656, No. 581), entitled "The Borough Code," further providing for the mayor's expenses in attending the annual association meeting.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senator FISHER presented to the Chair **SB 625**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 31, 1981.

Senator HOLL presented to the Chair **SB 626**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, including various workers in the definition of "correction officer" and making an editorial correction.

Which was committed to the Committee on STATE GOVERNMENT, March 31, 1981.

Senator EARLY presented to the Chair **SB 627**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for penalties for cruelty to animals.

Which was committed to the Committee on JUDICIARY, March 31, 1981.

Senators STAUFFER, PRICE, ROSS, JUBELIRER, GREENLEAF, SMITH, PECORA, ZEMPRELLI, O'CONNELL and LOEPER presented to the Chair **SB 628**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing a limited one-time exclusion from taxation of certain gains made on the sale of a principal residence by a taxpayer.

Which was committed to the Committee on FINANCE, March 31, 1981.

Senators ROMANELLI, FISHER, SCANLON and PECORA presented to the Chair **SB 629**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," increasing the rate of taxation on certain insurance companies doing business in Pennsylvania and providing for the distribution of the increased tax revenues.

Which was committed to the Committee on BANKING AND INSURANCE, March 31, 1981.

Senators TILGHMAN, MANBECK, SCANLON and PECORA presented to the Chair **SB 630**, entitled:

An Act repealing the act of September 8, 1959 (P. L. 828, No. 322), entitled, as amended, "An act authorizing the Pennsylvania Turnpike Commission to finance and construct certain additional projects on the Pennsylvania Turnpike System."

Which was committed to the Committee on TRANSPORTATION, March 31, 1981.

Senators PECORA, STREET, STOUT, EARLY, LOEPER, ROMANELLI, FISHER, HOPPER, RHOADES, MOORE, STAUFFER and SHAFFER presented to the Chair **SB 631**, entitled:

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," further imposing a fee for certain closed circuit television broadcasts and providing penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 31, 1981.

Senators PECORA, LOEPER, HELFRICK, EARLY and STREET presented to the Chair **SB 632**, entitled:

An Act amending the act of July 23, 1970 (P. L. 563, No. 195), entitled "Public Employe Relations Act," prohibiting strikes by employes of certain health institutions and providing for binding arbitration in the event of an impasse in collective bargaining by such employes.

Which was committed to the Committee on LABOR AND INDUSTRY, March 31, 1981.

Senators PECORA, STOUT, EARLY, LOEPER and SCANLON presented to the Chair **SB 633**, entitled:

An Act amending the act of December 22, 1965 (P. L. 1124, No. 437), entitled "Dog Law of 1965," providing penalties for mistreatment of or interference with police department dogs and exempting such dogs from quarantine.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 31, 1981.

Senators PECORA, EARLY, ROMANELLI, ZEMPRELLI, FISHER and SCANLON presented to the Chair **SB 634**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sale Law," exempting second class counties from the requirement to establish tax claim bureaus for a limited period of time.

Which was committed to the Committee on LOCAL GOVERNMENT, March 31, 1981.

Senators SNYDER, GEKAS, REIBMAN, KELLEY and SHAFFER presented to the Chair **SB 635**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, clarifying certain provisions relating to spouses' elections; authorizing the payment of proceeds from insurance policies to decedent's family; adding a provision concerning information services; providing for the apportionment of death taxes; changing certain provisions relating to gifts to minors; clarifying provisions relating to distributions of income and principal made during incompetency; adding provisions concerning powers of attorney; authorizing the termination of certain trusts; clarifying certain provisions relating to compensation to a fiduciary; and making technical and editorial changes.

Which was committed to the Committee on JUDICIARY, March 31, 1981.

Senators SNYDER, GEKAS, REIBMAN, KELLEY and SHAFFER presented to the Chair **SB 636**, entitled:

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to inheritance and estate taxes and making repeals.

Which was committed to the Committee on FINANCE, March 31, 1981.

Senators SNYDER, GEKAS, REIBMAN, KELLEY and SHAFFER presented to the Chair **SB 637**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," permitting the sale of liquor that is part of a decedent's estate.

Which was committed to the Committee on LAW AND JUSTICE, March 31, 1981.

Senator GEKAS presented to the Chair **SB 638**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding provisions relating to district constables.

Which was committed to the Committee on JUDICIARY, March 31, 1981.

## CALENDAR

### HB 417 CALLED UP OUT OF ORDER

**HB 417 (Pr. No. 942)** — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator JUBELIRER.

### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 417 (Pr. No. 942)** — 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—41

Bell	Howard	Messinger	Scanlon
Corman	Jubelirer	Moore	Shaffer
Early	Kelley	Murray	Smith
Fisher	Kusse	O'Connell	Snyder
Gekas	Lincoln	O'Pake	Stapleton
Greenleaf	Lloyd	Pecora	Stauffer
Hager	Loeper	Price	Stout
Helfrick	Lynch	Reibman	Street
Hess	McKinney	Rhoades	Tilghman
Holl	Manbeck	Romanelli	Zemprelli
Hopper			

#### 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.

## BITUMINOUS COAL QUEEN OF 1980 PRESENTED TO SENATE

Senator STOUT. Mr. President, it gives me great pleasure on behalf of my colleague, the gentleman from Fayette, Senator Lincoln, and myself to introduce a special guest of the Senate today.

Mr. President, for over twenty-six years the King Coal Association, located in Carmichaels, Greene County, has been selecting a young lady to represent the bituminous coal industry. The 1980 Pennsylvania Bituminous Coal Queen is from Fredericktown, Washington County, the Forty-sixth Senatorial District. I am happy the Coal Queen this year, the lovely and talented Miss Lisa Gavlick, can be with us today. She is accompanied by Mrs. Connie Morris, the Chairperson for the Coal Queen Pageant and by her proud parents, Robert and Catherine Gavlick.

Mr. President, at this time I would like Mrs. Connie Morris and Mr. and Mrs. Gavlick to stand so that the Senate may give you its traditional warm welcome.

(Applause.)

Senator STOUT. Mr. President, last evening Lisa was the guest of honor at a dinner hosted by the Pennsylvania Keystone Bituminous Coal Association. Earlier this morning she met with Governor Thornburgh and was introduced in the House of Representatives. Lisa is presently a senior at the Beth-Center High School. She is president of the high school chorus, a member of the county chorus, a member of the band, a member of the district and regional band, head majorette, a member of the ski club, a class worker, a director of the variety show, and a member of the yearbook staff.

During the Coal Queen competition last summer, she was chosen as Miss Congeniality by her fellow contestants. She plays the piano and during the competition played a medley of Marvin Hamlisch songs. Lisa plans on attending the University of Pittsburgh School of Nursing this fall.

Mr. President, at this time I would like the Senate of Pennsylvania to extend its usual warm welcome to Miss Lisa Gavlick, the 1980 Pennsylvania Bituminous Coal Queen.

(Applause.)

Miss GAVLICK. Thank you, Senator Stout.

Mr. President and Members of the Senate, before I was chosen as the Pennsylvania Bituminous Coal Queen, I was asked what it would mean to me and how it would change my life. I do not remember now what profound answer I must have given, but I do know that I could not have begun to imagine what thrilling experiences I would encounter.

Today, of course, is a perfect example of the thrill and honor that has come to me during my reign as Bituminous Coal Queen.

Being Coal Queen is positive and rewarding. But it is also a great responsibility. As all of you well know, being a representative of a segment of the population means you lose a portion of your identity as you work to serve that segment. As Coal Queen I realize that every time I am in the public eye I am a representative of the youth of the coal community.

The youth of the coal community, much the same as all the youth of today, has a job to do. That job is to prepare ourselves for the future—leaders, workers and builders of our State and our country. Those of us from the coal community of southwestern Pennsylvania are unique in that we come from an area full of ethnic background and tradition. Most of us want to preserve that tradition and be able to build our lives around our community, to be a part of the community in which we are born and raised. This was not always possible. Just a few short years ago the youth of the community found it necessary to leave to find employment. Today, however, with the increased demand for coal as a fuel, we have increased employment and many of my classmates, both male and female, will enter the mines as workers. Others will choose to further their education and become mining engineers or choose other professions ultimately supported by a healthy coal industry.

These are trying times in the coal community as miners and management seek to find an agreement beneficial to all. I suppose one could become alarmed over this unrest, but we must also find consolation in the fact that we are free to negotiate and that both sides are ever mindful of the needs of our great Commonwealth and of our country.

We all must know that our State, our country and indeed our world is a small place. We cannot afford as a free people to be unmindful of the actions of any group, whether large or small. As we the youth prepare ourselves for the future, studying, taking part in school and community activities, as we learn to compete in sports and academics, we are also watching you, our elders. We look to our parents, our community leaders and the leaders of government, for you teach us how to face our problems. We will benefit from your wisdom and learn from your mistakes and hopefully we will prepare ourselves well enough to follow in your footsteps.

The PRESIDING OFFICER. Thank you Lisa for those most fitting remarks. You are the means of dramatizing the youth, one of Pennsylvania's great resources. I am sure you

will do it well. Best wishes to you as Bituminous Coal Queen and in your desires to enter the nursing profession.

### RECESS

Senator JUBELIRER. Mr. President, at this time I respectfully request a recess of the Senate. I am asking the Members of the Committee on Rules and Executive Nominations to report to the Rules Committee room at the rear of the Senate Chamber immediately upon the recess. I ask that the Republican Members await the call to caucus which should be forthcoming in approximately fifteen minutes. It is our hope, Mr. President, to return to the floor at approximately 3:00 p.m.

The PRESIDING OFFICER. Does the Minority have any announcement?

Senator SCANLON. Mr. President, I am requesting that the Democrats convene at 2:00 p.m. for a caucus in the Minority caucus room with the hope of returning to the floor at 3:00 p.m. and the Democratic Members of the Committee on Rules and Executive Nominations please go to the Rules Committee room immediately.

The PRESIDING OFFICER. The meeting of the Committee on Rules and Executive Nominations will convene in the Rules Committee room and the Session is in recess.

### AFTER RECESS

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

## CONSIDERATION OF CALENDAR RESUMED

### THIRD CONSIDERATION CALENDAR

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 41 (Pr. No. 518)** — 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?

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

### SENATOR ZEMPRELLI TO VOTE FOR SENATOR MESSINGER

Senator ZEMPRELLI. Mr. President, I am not sure I am in order at this time, but Senator Messinger left instructions with me that beyond 3:30 p.m. he would be attending a legislative session with the PSEA on an important matter and he asked that I request legislative leave for him. The roll call was started before I had an opportunity to request legislative leave. I am, at this time, Mr. President, requesting legislative leave on behalf of Senator Messinger. I would then, in fact, vote Senator Messinger in the affirmative on Senate Bill No. 41.

The PRESIDING OFFICER. The Chair hears no objection and the leave is granted.

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

YEAS—41

Bell	Howard	Manbeck	Scanlon
Corman	Jubelirer	Messinger	Shaffer
Early	Kelley	Moore	Smith
Fisher	Kusse	Murray	Snyder
Gekas	Lewis	O'Pake	Stapleton
Greenleaf	Lincoln	Pecora	Stauffer
Hager	Lloyd	Price	Stout
Helfrick	Loeper	Reibman	Street
Hess	Lynch	Rhoades	Tilghman
Holl	McKinney	Romanelli	Zemprelli
Hopper			

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.

**SB 87 (Pr. No. 534)** — 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?

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

Senator ROMANELLI. Mr. President, I inadvertently voted "aye" and I wanted to vote "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—31

Bell	Helfrick	Lynch	Rhoades
Corman	Hess	McKinney	Shaffer
Early	Holl	Manbeck	Snyder
Fisher	Hopper	Moore	Stapleton
Gekas	Howard	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Street
Hager	Kusse	Price	Tilghman
Hankins	Loeper	Reibman	

NAYS—11

Kelley	Lloyd	Romanelli	Stout
Lewis	Messinger	Scanlon	Zemprelli
Lincoln	Murray	Smith	

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.

**PERMISSION TO ADDRESS SENATE**

Senat6r ZEMPRELLI asked and obtained unanimous consent to address the Senate.

Senator ZEMPRELLI. Mr. President, through inadvertence in requesting the legislative leave for the gentleman from Lehigh, Senator Messinger, I had a mental lapse in terms of relating to the PSEA. I meant to refer to a PHEAA Board meeting instead. I would want the record to so indicate. It was a Freudian slip. It had something to do with the election today.

The PRESIDING OFFICER. The gentleman's remarks will be placed in the Journal.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 138 (Pr. No. 138)** — 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—42

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	Pecora	Stauffer
Hager	Lincoln	Price	Stout
Hankins	Lloyd	Reibman	Street
Helfrick	Loeper	Rhoades	Tilghman
Hess	Lynch	Romanelli	Zemprelli
Holl	McKinney		

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.

**SB 153 (Pr. No. 610)** — Considered the third time,

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

AMENDMENTS OFFERED

Senator O'CONNELL, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 222), page 1, line 14, by inserting after "System.—": (a)

Amend Sec.1 (Sec. 222), page 1, line 17, by inserting after "assume": the

Amend Sec.1 (Sec. 222), page 2, by inserting between lines 1 and 2:

(b) The Department of Transportation in its discretion may make subsidy payments to municipalities to assist such municipalities in meeting the expenses of maintenance and improvement imposed by this section. Any subsidy payment made hereunder shall not impact on, directly or indirectly, any funds available for distribution to municipalities from motor license revenue receipts or liquid fuel tax receipts.

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

Senator ZEMPRELLI. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator O'Connell.

The PRESIDING OFFICER. Will the gentleman from Luzerne, Senator O'Connell, permit himself to be interrogated?

Senator O'CONNELL. I will, Mr. President.

Senator ZEMPRELLI. Is it true, Mr. President, that the amendments the gentleman has offered, if enacted, would vest with the Department of Transportation a discretion with respect to Department of Transportation funds, that it may offer a local community with respect to roads, that it may have assumed with the Commonwealth to maintain and also otherwise deal with?

Senator O'CONNELL. Mr. President, it was my understanding that that would be the case, yes.

Senator ZEMPRELLI. Mr. President, is it true that the present law does not allow the Secretary of Transportation discretion dealing with appropriations to his department that would allow him, in effect, to make "special arrangements" and "deals" with local communities dealing on State Highway Department roads?

Senator O'CONNELL. Mr. President, I believe that is correct, but with this observation: This legislation is intended to allow a municipality to request that a road be taken over. So, I think that it is only in that case, Mr. President, that the discretion would be present and not generally a broad power.

Senator ZEMPRELLI. Mr. President, in all deference to the gentleman, the present standard for assistance to local communities is the use of liquid fuel tax monies on an established basis for prorating monies. That has been historical with the Commonwealth of Pennsylvania. Now what the gentleman seeks to do through his amendments would be to supplement the standard formula that has been recognized as fair and a sound basis upon which our local communities receive part of the liquid fuel tax monies and to say, in addition thereto, the Secretary of Transportation shall have the discretion under the classic definition of the word, that, which in his judgment, using the prudent-man rule, would allow further monies to go to an individual community without equating those monies on any standard or basis. It is a dangerous proposition in my judgment to be advancing. I would hesitate, if I were the Secretary of Transportation, to want that kind of authority to dispense monies on a basis other than some real standard that allows for the absence of discretion.

Mr. President, I can see many, many problems down the road when one community which has been disadvantaged by not getting any money and another that gets money simply because the Secretary feels that they should. It has all kinds of fraught. It smacks of politics and if it is not political to begin with, it will be made political in the end.

Mr. President, I am asking that the Members of the Senate on the Democratic side vote against these amendments for two reasons: The merits, and, secondly, because we have not had an opportunity to caucus on them; and further, that all the Members of the Senate vote against these amendments because of the merits and the fact that there is a total absence of such merits.

Senator O'CONNELL. Mr. President, what the gentleman from Allegheny, Senator Zempirelli, indicates could very well be true. The gentleman may be right in explaining the fact that the Secretary of Transportation and others might be somewhat concerned about this. On the other hand, if Senate Bill No. 153 were to pass without these amendments, and I were a local government official, I would certainly be genuinely concerned about the results of that proposition because it is conceivable that this bill without the amendments would give the Highway Department some leverage and actually leverage by benign neglect and by not doing what they should be doing in local situations, therefore, impacting adversely upon that municipality or community to the extent that it would aggravate those that use that road and they would come to the Township Commissioner or Supervisor requesting a turnover.

Mr. President, I think this is a turnabout turnover program and without these amendments it would subject all of the local municipalities in this Commonwealth to undue pressures in regards to their particular road program.

Mr. President, I would ask support of the amendments.

Senator ZEMPRELLI. Mr. President, I would offer one further addendum. I had a personal experience here last Saturday in which I toured the roads of a local community, the name of which I do not think is important to the issue. As I traversed the roads of this community, which were all in horrendous condition, there became a dispute between the members of the Department of Transportation and the local community as to what was going to happen to these roads. The representative from the Department of Transportation said, "I am sorry, we cannot do anything for you because these are Act 615 roads." What he was saying was that the State was responsible for the cartway and the local community was responsible for the berm and all the conditions that were beyond the cartway.

Mr. President, by introducing this new dimension, we have destroyed the conceptual value of Act 615 and would absolutely render havoc throughout this whole Commonwealth simply because we provided an avenue for the Secretary of Transportation to provide funds to every community, and there is not enough money in the State to fix every berm on every Act 615 road and every other road in the Commonwealth. There is not enough money in the United States to fix the ones in the Forty-fifth Senatorial District if we were going to endeavor to assume the cost and allow the discretion to the Secretary of Transportation. How, then, can the gentleman say that the roads in the City of Clairton are entitled to be treated and those from the adjoining Borough of Glassport are not to be treated? If the gentleman is to treat them all alike, Mr. President, how then is the gentleman going to resolve this issue on a political basis?

Mr. President, these are the follies of this kind of rationale that looks good on the surface, but in operation is not worth a tinker's damn. I ask the entire Senate to defeat these amendments, Mr. President, and in that direction recognize the total pandemonium that we would have in trying to enforce this kind of provision.



Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Zemprelli.

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

Senator ZEMPRELLI. I will, Mr. President.

Senator KELLEY. Mr. President, do I understand the gentleman to have said that he requested in preliminary markups on this day with Leadership on the other side, copies of amendments that he believed or thought were to be offered to Senate Bill No. 153?

Senator ZEMPRELLI. Mr. President, at the markup I had asked if the amendments had been delivered to us and I was told that they were, but they had not. They were delivered to me about one minute previous to the offering of the amendments by the gentleman.

Senator KELLEY. Mr. President, would the gentleman further respond as to how long he has been a Member of the Senate?

The PRESIDING OFFICER. Is the gentleman's question pertinent to the issue at hand?

Senator ZEMPRELLI. Mr. President, twelve years, two months, thirteen days and sixteen hours.

Senator KELLEY. Mr. President, in regard to his tenure as a Member of this Senate, has it been the custom and practice that amendments purported to be offered by any Member thereof would be as a matter of courtesy and practice submitted to the other side through their Leadership so they could be considered in caucus.

Senator ZEMPRELLI. Mr. President, it has always been a loose rule. I understand it has been abrogated from time to time because of the expediencies of the situation that amendments were exchanged between caucuses in an effort to get caucus approval before they are presented to the floor.

#### MOTION TO LAY BILL ON THE TABLE

Senator KELLEY. Mr. President, in light of the responses of the gentleman from Allegheny, Senator Zemprelli, and the facts of the situation of the amendments pending now under consideration to Senate Bill No. 153, I respectfully move that Senate Bill No. 153 be laid on the table so the Minority Members of the Senate could have an opportunity at a subsequent caucus to continue the courtesies that have existed as long as the gentleman from Allegheny, Senator Zemprelli, at least, has been a Member and I dare say as long as anyone has been a Member.

On the question,

Will the Senate agree to the motion?

#### POINT OF ORDER

Senator JUBELIRER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Blair, Senator Jubelirer, will state it.

Senator JUBELIRER. Mr. President, I believe the gentleman is out of order in his motion. I believe the debate should be confined to the merits of the amendments and not

the laying on the table of the main bill. I believe if the gentleman has any points to make he should make them on that. If the amendments are defeated, or if the amendments are passed, his motion would be in order. I think the debate should be confined to that.

The PRESIDING OFFICER. Does the gentleman wish to comment on the point of order?

Senator KELLEY. Mr. President, I moved that Senate Bill No. 153 be laid on the table with the amendments pending.

The PRESIDING OFFICER. The Senate will be at ease.  
(The Senate was at ease.)

The PRESIDING OFFICER. The Parliamentarian informs me that we cannot lay the bill on the table while the amendments are pending. If the gentleman will defer his motion until the amendments are disposed of it would be in order.

#### MOTION RULED OUT OF ORDER

Senator KELLEY. Mr. President, it is only because of the amendments being offered in divergence of the custom and practice of this Body and in order to perpetuate and preserve that custom and practice that I asked for it and move for it to be laid on the table with the amendments pending. If this Body considers the amendments, I understand that consideration to be in violation of a sacred practice.

The PRESIDING OFFICER. The Chair reluctantly rules that the motion is out of order and the question recurs on the amendments.

Senator KELLEY. Mr. President, reserving the right to appeal the decision of the Chair, may I ask the Chair to explain the reasoning for the ruling?

#### POINT OF ORDER

Senator BELL. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Delaware, Senator Bell, will state it.

Senator BELL. Mr. President, does the President have to give reason for the Chair's ruling?

The PRESIDING OFFICER. The Chair believes not.

Senator BELL. I believe not, too, Mr. President.

The PRESIDING OFFICER. The question is on the motion by Senator Kelley.

#### MOTION WITHDRAWN

Senator KELLEY. Mr. President, I withdraw my motion.

And the question recurring,

Will the Senate agree to the amendments?

#### AMENDMENTS WITHDRAWN

Senator O'CONNELL. Mr. President, I never won a sidebar in my life. I, therefore, withdraw the amendments.

And the question recurring,

Will the Senate agree to the bill on third consideration?

Senator O'CONNELL. Mr. President, I withdrew the amendments because I just wanted to avoid the confusion and to get on with the balance of the business that the Senate has to consider this afternoon. I have looked at the bill. I have correspondence from a number of communities and munici-

palties who have problems with this particular bill and, more than that, have problems with the Department of Transportation. I happen to be one who favors the turnover of roads from local municipalities. I do happen to be one who favors the takeover of roads by the municipalities of some of the roads within their particular jurisdiction but under certain conditions precedent. Those conditions are that they be put in proper condition and they be recognized for maintenance by giving them some increased revenues to do so.

In this Commonwealth there are 65,000 miles of off-system roads. I have 6,500 of those miles in my Senatorial district, most of them in complete disrepair. By admission of the Secretary of Transportation, who has done a walking tour in the particular area, he indicates there is a substantial number of roads there that have been neglected. If this piece of legislation is passed it circumvents the process that we are now involved in where the Legislature has to approve of that particular return.

I think if there is a bad precedent in the amendments that I was setting, there is a precedent of allowing the department to force local municipalities by benign neglect and by not taking care of the roads and accepting them as part of the system without giving it the proper attention and due consideration is a reckless way to go. I do not really believe that we can continue to transfer that responsibility to local government.

Mr. President, I would ask for a negative vote on the bill.

Senator MANBECK. Mr. President, I would request that all the Members of the Senate vote in favor of Senate Bill No. 153 because there has been a survey made throughout the State of Pennsylvania. There is an indication that there are 1,200 miles of highway that should be turned back to the municipalities. Many of the municipalities have indicated that they are willing to accept the highways under certain conditions. This bill simply says that the Secretary of the Department of Transportation and the officials of the municipalities can get together and reach an agreement to take back certain roads that will be much better maintained and will be cheaper for the Department of Transportation and, I think, this will be a tremendous asset to both parties.

Mr. President, I request that we give a unanimous vote to Senate Bill No. 153.

Senator O'CONNELL. Mr. President, one further comment. I have to ask the Members of the Senate to look at the bill and to look at lines 16, 17 and 18. It says, "...wherein it is located by ordinance or resolution approves the action and agrees to assume expense of maintenance and improvement of the same." I do not really think it is any different. I think what it does, in fact, is impose a liability on local governments. I think it gives the Department of Transportation a lot of leverage that they should not have.

Mr. President, I ask for a negative vote.

Senator STOUT. Mr. President, I rise in opposition to Senate Bill No. 153. There are a number of reasons that I oppose this legislation. Some of these have been mentioned. The fact that this will allow local municipalities, with the department, to transfer the responsibilities of these roads to local municipalities. What we have seen over the past several

years is that under the liquid fuels allocation to local municipalities, their share of money out of the liquid fuels has continued to drop. Everyone in this Chamber is aware of the SWAP proposals that have been made by the current Administration and even those proposals which have not been acted upon by this Body, would further reduce their percentage of the liquid fuels money. This type of legislation could definitely be a harm to the local municipalities and the allocation of liquid fuels money and increase responsibility to them to maintain their already overburdened road system.

Mr. President, I urge a negative vote on Senate Bill No. 153.

And the question recurring,

Will the Senate agree to the bill on third consideration?

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

#### YEAS—32

Corman	Holl	Messinger	Shaffer
Early	Hopper	Moore	Smith
Fisher	Howard	Murray	Snyder
Gekas	Jubelirer	O'Pake	Stapleton
Greenleaf	Kusse	Price	Stauffer
Hager	Loeper	Reibman	Street
Hankins	Lynch	Romanelli	Tilghman
Helfrick	Manbeck	Scanlon	Zemprelli

#### NAYS—11

Bell	Lewis	McKinney	Rhoades
Hess	Lincoln	O'Connell	Stout
Kelley	Lloyd	Pecora	

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.

**SB 169 (Pr. No. 169)** — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

Senator MOORE. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Romanelli.

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

Senator ROMANELLI. I will, Mr. President.

Senator MOORE. Mr. President, will the gentleman for the purposes of clarification tell us if the sole purpose of Senate Bill No. 169 is to provide that a user does not acquire right-of-way by passing through unenclosed woodlands?

Senator ROMANELLI. That is the purpose of the bill, Mr. President.

Senator MOORE. Will the gentleman tell us, Mr. President, if that is the sole purpose of the bill or if there is some underlying purpose for which the bill is being introduced at this time?

Senator ROMANELLI. No devious purpose, Mr. President, just to protect the rights-of-way.

Senator MOORE. Mr. President, I would never accuse the distinguished gentleman of any devious purpose. I was merely asking for a point of clarification.

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—43

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

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 REREFERRED

**SB 225 (Pr. No. 226)** — Upon motion of Senator JUBELIRER, and agreed to, the bill was rereferred to the Committee on Banking and Insurance.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 380 (Pr. No. 611)** — 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—43

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

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 OVER IN ORDER

**SB 443** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

**SB 108** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

PREFERRED APPROPRIATION

BILL OVER IN ORDER

**HB 686** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

**HB 19 (Pr. No. 19), HB 20 (Pr. No. 374), HB 21 (Pr. No. 21), HB 22 (Pr. No. 22), HB 23 (Pr. No. 23) and HB 29 (Pr. No. 30)** — Considered the second time and agreed to, Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION AMENDED

**HB 32 (Pr. No. 1066)** — The bill was considered.

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

Senator PRICE, on behalf of Senator STREET, and himself, offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Title, page 1, lines 1 through 17, by striking out all of said lines and inserting:

Amending the act of July 6, 1917 (P.L.747, No.271), entitled "An act requiring all counties, cities, boroughs, townships, school districts, and other municipalities and incorporated districts, to sell any bonds or other securities issued by them to the highest responsible bidder, after due public notice," providing that a city of the first class shall sell bonds or other securities, except as provided herein, issued by it at public sale after not less than one public notice for such price, at, above or below their par value plus accrued interest, as shall be determined by the authorities of the city, providing that such a city may sell bonds or other securities at private sale where no conforming bid has been received at a prior public sale, and providing that such provisions shall apply to all borrowings and the issuance of bonds or other securities therefor, whenever authorized.

Amend Bill, page 1, lines 20 through 24; pages 2 through 31, lines 1 through 30; page 32, lines 1 through 18, by striking out all of said lines on said pages and inserting:

Section 1. The title, act of July 6, 1917 (P.L.747, No.271), entitled "An act requiring all counties, cities, boroughs, townships, school districts, and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest responsible bidder after due public notice," is amended to read:

AN ACT

[Requiring all counties, cities, boroughs, townships, school districts, and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest responsible bidder after due public notice.]

Providing that a city of the first class shall sell bonds or other securities, except as provided herein, issued by it at public sale after not less than one public notice for such price, at, above or

below their par value plus accrued interest, as shall be determined by the authorities of the city and providing that such a city may sell bonds or other securities at private sale when no conforming bid has been received at a prior public sale; and providing that the provisions hereof shall apply to all borrowings and the issuance of bonds or other securities therefor, whenever authorized.

Section 2. Section 1 of the act, amended April 11, 1929 (P.L.518, No.221), is amended to read:

Section 1. [Be it enacted, c., That when any county, city, borough, township, school district, or other municipality or incorporated district of this Commonwealth] When any city of the first class, having authority so to do, shall borrow money and issue bonds or other securities therefor, except in the case of the giving of notes for temporary loans as may be authorized by law and except in the case of the issuance of bonds or other securities under the act of October 18, 1972 (P.L.955, No.234), known as "The First Class City Revenue Bond Act," the authorities thereof shall sell the same to the highest responsible bidder for such price, at, above or below their par value plus accrued interest, as shall be determined by the authorities of such city, after public notice by advertisement[, once a week for three weeks,] of either the official invitation for bids or of the availability of the official invitation for bids in at least one newspaper of general circulation published in [the county in which such county, city, borough, township, or school district, or other municipality or incorporated district, shall be situated: Provided, That no bid for such bonds or securities at less than their par value shall be accepted: And provided further, That where] such city. Advertisements shall be published at least one time not less than ten nor more than thirty days prior to the date fixed for opening bids. Where bonds and securities shall have been heretofore or shall hereafter be advertised for sale, as provided in this act, and no [bids have] conforming bid has been received, then it shall be lawful for such [county, city, borough, township, school district, or other municipality, or incorporated district,] city to sell the same at private sale [for not less than par and accrued interest] at such price, at, above or below their par value plus accrued interest as the authorities of such city shall determine. This section shall apply to all borrowings and the issuance of bonds or other securities therefor, whether heretofore or hereafter authorized.

Section 3. This act shall take effect immediately.

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

Senator PRICE. Mr. President, these amendments are offered by the gentleman from Philadelphia, Senator Street, and myself, which would incorporate the language of Senate Bill No. 443 which was just put over, that bill having been reported out of the Committee on Local Government on March 24th, in order to expedite passage of this very important legislation for Philadelphia.

Mr. President, I would be happy to explain what the legislation does if that would be thought useful.

And the question recurring,  
Will the Senate agree to the amendments?  
They were agreed to.

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

It was agreed to.  
Ordered, To be transcribed for a third consideration.

#### BILLS ON SECOND CONSIDERATION

**HB 33 (Pr. No. 1160), HB 34 (Pr. No. 1067), HB 35 (Pr. No. 1068), HB 36 (Pr. No. 1069) and HB 37 (Pr. No. 1070)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILL ON SECOND CONSIDERATION AMENDED

**HB 38 (Pr. No. 1071)** — The bill was considered.

On the question,  
Will the Senate agree to the bill on second consideration?  
Senator CORMAN offered the following amendment:

Amend Sec. 1 (Sec. 1970), page 2, line 19, by striking out "currently due"

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 CORMAN.

#### BILLS ON SECOND CONSIDERATION

**HB 39 (Pr. No. 1072), HB 40 (Pr. No. 1073), HB 43 (Pr. No.44) and SB 105 (Pr. No. 105)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILL OVER IN ORDER

**SB 114** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

#### BILL ON SECOND CONSIDERATION

**HB 123 (Pr. No. 124)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILL OVER IN ORDER

**SB 168** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

#### BILLS ON SECOND CONSIDERATION

**HB 227 (Pr. No. 228) and SB 276 (Pr. No. 609)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILLS OVER IN ORDER

**SB 333, 388 and 399** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

#### BILLS ON SECOND CONSIDERATION

**SB 404 (Pr. No. 410) and SB 422 (Pr. No. 428)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILLS OVER IN ORDER

**SB 515 and 568** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

**HOUSE CONCURRENT RESOLUTION  
NO. 7, CALLED UP**

Senator JUBELIRER, without objection, called up from page 8 of the Calendar, House Concurrent Resolution No. 7, entitled:

General Assembly urge Joint State Government Commission study various statutes and recommend changes for the "Real Estate Settlement Procedures Act."

On the question,  
Will the Senate concur in the resolution?

**SENATE CONCURS IN  
HOUSE CONCURRENT RESOLUTION NO. 7**

Senator JUBELIRER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 7.

The motion was agreed to and the resolution was concurred in.

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

**SENATE RESOLUTION,  
SERIAL NO. 13, CALLED UP**

Senator JUBELIRER, without objection, called up from page 8 of the Calendar, Senate Resolution, Serial No. 13, entitled:

Special Senate Committee study park and recreation needs in the Commonwealth.

On the question,  
Will the Senate adopt the resolution?

**SENATE RESOLUTION,  
SERIAL NO. 13, ADOPTED**

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 13.

The motion was agreed to and the resolution was adopted.

**REORGANIZATION PLAN NO. 4,  
RESOLUTION A, CALLED UP**

Senator JUBELIRER, without objection, called up from page 8 of the Calendar, Reorganization Plan No. 4, Resolution A, entitled:

Resolved That Reorganization Plan No. 4 of 1981 transmitted to the General Assembly under date of March 16, 1981 which is incorporated herein by reference be approved.

On the question,  
Will the Senate adopt the resolution?

**REORGANIZATION PLAN NO. 4,  
RESOLUTION A, ADOPTED**

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Reorganization Plan No. 4, Resolution A.

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

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

**YEAS—43**

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

**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.

**REORGANIZATION PLAN NO. 5,  
RESOLUTION A, CALLED UP**

Senator JUBELIRER, without objection, called up from page 9 of the Calendar, Reorganization Plan No. 5, Resolution A, entitled:

Resolved That Reorganization Plan No. 5 of 1981 transmitted to the General Assembly under date of March 16, 1981 which is incorporated herein by reference be approved.

On the question,  
Will the Senate adopt the resolution?

**REORGANIZATION PLAN NO. 5,  
RESOLUTION A, ADOPTED**

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Reorganization Plan No. 5, Resolution A.

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

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

**YEAS—43**

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

**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.

**REORGANIZATION PLAN NO. 6,  
RESOLUTION A, CALLED UP**

Senator JUBELIRER, without objection, called up from page 9 of the Calendar, Reorganization Plan No. 6, Resolution A, entitled:

Resolved That Reorganization Plan No. 6 of 1981 transmitted to the General Assembly under date of March 16, 1981 which is incorporated herein by reference be approved.

On the question,  
Will the Senate adopt the resolution?

**REORGANIZATION PLAN NO. 6,  
RESOLUTION A, ADOPTED**

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Reorganization Plan No. 6, Resolution A.

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

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

**YEAS—43**

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

**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.

**REORGANIZATION PLAN NO. 7,  
RESOLUTION A, CALLED UP**

Senator JUBELIRER, without objection, called up from page 10 of the Calendar, Reorganization Plan No. 7, Resolution A, entitled:

Resolved That Reorganization Plan No. 7 of 1981 transmitted to the General Assembly under date of March 16, 1981 which is incorporated herein by reference be approved.

On the question,  
Will the Senate adopt the resolution?

**REORGANIZATION PLAN NO. 7,  
RESOLUTION A, ADOPTED**

Senator JUBELIRER. Mr. President, I move that the Senate do adopt Reorganization Plan No. 7, Resolution A.

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

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

**YEAS—43**

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer

Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

**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.

**The PRESIDENT pro tempore (Henry G. Hager) in the Chair.**

**THANKS EXTENDED TO SENATOR  
RICHARD A. SNYDER**

The PRESIDENT pro tempore. The Chair would like to thank Senator Snyder for acting as President of the Senate today in my absence.

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

Senator LOEPER, 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 STATE ART COMMISSION**

March 6, 1981.

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 Alvin Holm, 123 North Lambert Street, Philadelphia 19103, Philadelphia County, Second Senatorial District, for appointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1983, and until his successor shall have been appointed and qualified, vice Norman N. Rice, Philadelphia, whose term expired.

**DICK THORNBURGH.**

**MEMBER OF THE STATE CONSERVATION  
COMMISSION**

March 12, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Lange (Urban Member), 400 Fairview Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until November 7, 1984, and until his successor is appointed and qualified.

**DICK THORNBURGH.**

MEMBER OF THE STATE BOARD OF  
MEDICAL EDUCATION AND LICENSURE

February 27, 1981.

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 Anne Pascasio, Ph.D., 109 Markham Drive, Mount Lebanon 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Medical Education and Licensure, to serve for a term of four years, and until her successor shall have been appointed and qualified, vice Nathan Hershey, Esquire, Pittsburgh, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF MOTOR VEHICLE MANUFACTURERS,  
DEALERS AND SALESMEN

March 10, 1981.

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 G. Matthews (New Car Dealer), 31 Wistar Road, Paoli 19301, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, to serve until March 7, 1983, and until his successor is appointed and qualified, vice James Hamilton, Monongahela, whose term expired.

DICK THORNBURGH.

MEMBER OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

March 10, 1981.

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 Cassano (Republican), 306 West Marshall Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Miss Mercedes F. Greer, West Chester, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COLUMBIA COUNTY  
BOARD OF ASSISTANCE

March 12, 1981.

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 Roy O. Halye (Republican), 272 McGuire Park Drive, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Angelo P. Scheno, Bloomsburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE ELK COUNTY  
BOARD OF ASSISTANCE

March 5, 1981.

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 Bertil L. Anderson (Republican), 203 Columbus Street, St. Marys 15857, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Barbara Elaine Dauber, Johnsonburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE JEFFERSON COUNTY  
BOARD OF ASSISTANCE

March 5, 1981.

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 L. Manners (Republican), 1032 Main Street, Brockway 15824, Jefferson County, Forty-first Senatorial District, for appointment as a member of the Jefferson County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Samuel Early, Reynoldsville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MONTOUR COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Grace B. Reinaker (Republican), 1314 Bloom Road, 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, 1982, and until her successor is duly appointed and qualified, vice Matilda Kleha, Danville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE VENANGO COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Daniel H. Duncan (Republican), 231 Maple Avenue, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Venango County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Max M. Serafin, Oil City, resigned.

DICK THORNBURGH.

### NOMINATIONS LAID ON THE TABLE

Senator LOEPER. Mr. President, I request the nominations be laid on the table.

The PRESIDENT pro tempore. Without objection, the nominations will be laid on the table.

### RESOLUTION REPORTED FROM COMMITTEE

Senator JUBELIRER, by unanimous consent, from the Committee on Rules and Executive Nominations, reported with amendment, Senate Resolution, **Serial No. 32**, entitled:

Special Senate task force investigate nonprofit corporations providing for retirement homes and retirement communities.

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

### COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

#### MEMBER OF THE PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 16, 1981, for the appointment of Harold A. Harvey, M.D., 1446 Jill Drive, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of three years and until his successor is appointed and qualified, pursuant to Act 224, approved December 18, 1980.

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

DICK THORNBURGH.

#### MEMBER OF THE BOARD OF TRUSTEES OF THE CENTRAL YOUTH DEVELOPMENT CENTERS

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 16, 1981, for the appointment of Sharon Terrill, 4818 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of The Central Youth Development Centers, to serve until the third Tuesday of January, 1983, and until her successor is appointed and qualified, vice Mrs. Barbara F. Adler, Harrisburg, resigned.

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

DICK THORNBURGH.

#### MEMBER OF THE ENVIRONMENTAL HEARING BOARD

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 16, 1981, for the appointment of Paul Waters, Esquire, P. O. Box 541, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Environmental Hearing Board, to serve until June 20, 1983, or until his successor shall have been appointed and qualified, vice Thomas M. Burke, Esquire, Bethel Park, resigned.

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

DICK THORNBURGH.

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

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 13, 1981, for the appointment of The Honorable Donald Griffith (Elected Official), 300 Hathaway Park, Lebanon 17044, Lebanon County, Forty-eighth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve until February 21, 1984, and until his successor is duly appointed and qualified, vice The Honorable Henry J. Schultz, Easton, resigned.

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

DICK THORNBURGH.

#### MEMBER OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 16, 1981, for the appointment of Eloise G. Holbrook (Republican), 967 Skyline Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, as a member of the Lancaster County Board of Assistance, to serve until December 31, 1982, and until her successor is duly appointed and qualified, vice Mrs. Bettie L. Cunningham, Lancaster, whose term expired.

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

DICK THORNBURGH.



MEMBER OF THE SOMERSET COUNTY  
BOARD OF ASSISTANCE

March 27, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 3, 1981, for the appointment of Connie Fay Saylor (Republican), R. D. 3, Box 319, Rockwood 15557, Somerset County, Thirty-second Senatorial District, for appointment as a member of the Somerset County Board of Assistance, to serve until December 31, 1982, and until her successor is duly appointed and qualified, vice Marlin Meek, Windber, whose term expired.

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

DICK THORNBURGH.

DISTRICT JUSTICE

March 30, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 5, 1981, for the appointment of Donald J. Lee, 3225 Kennebec Road, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, as District Justice in and for the County of Allegheny, Class 02, District 20, to serve until the first Monday of January, 1982, vice John Kumer, Bethel Park, suspended.

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

DICK THORNBURGH.

DISTRICT JUSTICE

March 26, 1981.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 10, 1980, for the appointment of John G. Swatkoski, Box 470, Forest Park, Wilkes-Barre 18702, Luzerne County, Fourteenth Senatorial District, as District Justice in and for the County of Luzerne, Class 3, District 7, to serve until the first Monday of January, 1982, vice Francis Flynn, Wilkes-Barre, resigned.

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

DICK THORNBURGH.

NOMINATIONS RETURNED TO THE GOVERNOR

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

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Senator ZEMPRELLI. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The gentleman from Allegheny, Senator Zemprelli, will state it.

Senator ZEMPRELLI. Mr. President, as to those recalls coming from committee, as the ones that are being presented now, is it not correct that they must lie on the table for one day?

The PRESIDENT pro tempore. Senator Zemprelli, I am informed that has not been the practice nor is there anything in the Rules which require it. It has been the practice of the Senate that the recalls do not lie on the table.

Senator ZEMPRELLI. My purpose is not to object to the substance of the recalls, Mr. President, but only to raise the point of order with respect to whether or not they are to lie on the table for one day.

The PRESIDENT pro tempore. The Chair appreciates the gentleman's point of order but the Chair is informed the order of the Senate is to deal with the recalls immediately.

After conferring with Senator Murray, he agrees the information given by the Chair is correct.

Senator ZEMPRELLI. Mr. President, who am I to disagree with the Pope.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator LOEPER,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I call from the table for consideration certain nominations previously reported from committee and laid on the table.

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD  
OF EXAMINERS OF ARCHITECTS

March 10, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William R. Wallace (Architect), 527 Pine Top Trail, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, for appointment as a member of the State Board of Examiners of Architects, to serve for a term of six years and until his successor shall have been appointed and qualified, vice Lawrence C. Wolfe, Pittsburgh, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF EDUCATION

March 10, 1981.

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. Madge K. Benovitz, 840 Nandy Drive, Kingston 18704, Luzerne County, Twentieth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 1986, and until her successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES  
OF HAVERFORD STATE HOSPITAL

March 13, 1981.

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 Joseph G. Cirillo, 128 East Turnbull Avenue, Havertown 19083, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Haverford State Hospital, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Myron H. Bortnickner, Havertown, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MUNICIPAL POLICE  
OFFICERS' EDUCATION AND  
TRAINING COMMISSION

March 6, 1981.

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 Myron Bortnickner (Public-at-large), 1636 Rose Glen Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for reappointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until February 21, 1984, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD  
OF PHARMACY

March 10, 1981.

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 Henry L. Danneker (Public Member), 334 Fifth Street, Beaver 15009, Beaver County, Forty-seventh Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years, or until his successor is appointed and qualified, pursuant to Act 292, approved November 26, 1978.

DICK THORNBURGH.

MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION

March 10, 1981.

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 Joseph D. Hughes, Esquire, 1331 Bennington Avenue, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE ALLEGHENY COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Alfred E. Jones (Republican), 50 Newgate Road, Pittsburgh 15202, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Allegheny County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Robert S. Bernstein, Pittsburgh, resigned.

DICK THORNBURGH.

MEMBER OF THE CENTRE COUNTY  
BOARD OF ASSISTANCE

February 20, 1981.

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 Helen L. Kenworthy (Republican), 709 Devonshire Drive, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Centre County Board of Assistance, to serve until December 31, 1982, and until her successor is duly appointed and qualified, vice A. Brooks Corl, State College, whose term expired.

DICK THORNBURGH.

MEMBER OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

March 5, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Brickus (Republican), 977 West Lincoln Highway, Coatesville 19320, Chester County, Thirteenth Senatorial District, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Philip Crane, West Chester, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COLUMBIA COUNTY  
BOARD OF ASSISTANCE

March 12, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Light, Jr. (Republican), R. D. 2, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Mrs. Helen May Gonzales, Berwick, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COLUMBIA COUNTY  
BOARD OF ASSISTANCE

March 12, 1981.

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 Melvin Pankuch (Republican), 205 Riverview Drive, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Ronald Coleman, Bloomsburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE INDIANA COUNTY  
BOARD OF ASSISTANCE

March 5, 1981.

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 Cameron Davis, Jr. (Republican), 960 Lilac Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Indiana County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice John P. Merlo, Indiana, whose term expired.

DICK THORNBURGH.

MEMBER OF THE LUZERNE COUNTY  
BOARD OF ASSISTANCE

March 5, 1981.

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 Doctor Walter F. Kozik (Republican), 22 South Main Street, Plains 18705, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Luzerne County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, to fill a new position.

DICK THORNBURGH.

MEMBER OF THE MONROE COUNTY  
BOARD OF ASSISTANCE

March 2, 1981.

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 Lawrence A. Wills (Republican), R. D. Route 1, East Stroudsburg 18301, Monroe County, Twentieth Senatorial District, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1981, and until his successor is duly appointed and qualified, vice Lewis R. Lewis, Mountainhome, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MONTOUR COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 D. Jean Cope (Republican), 12A Montgomery Village, 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, 1981, and until her successor is duly appointed and qualified, vice Ruth Folk, Danville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MONTOUR COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Glenn V. Richardson (Republican), 316 East Market 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, 1982, and until his successor is duly appointed and qualified, vice Terry Broffee, Danville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Beatrice Goode (Republican), 699 Ferry Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1981, and until her successor is duly appointed and qualified, vice Marvin Asteak, Easton, whose term expired.

DICK THORNBURGH.

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

March 3, 1981.

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 Earl G. Keyser (Democrat), 111 North Tenth Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Benjamin Pinckney, Bethlehem, whose term expired.

DICK THORNBURGH.

MEMBER OF THE PERRY COUNTY BOARD OF ASSISTANCE

March 12, 1981.

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 Robert K. Shatto (Republican), R. D. 3, Box 79, Duncannon 17020, Perry County, Thirty-third Senatorial District, for appointment as a member of the Perry County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Mrs. Helen Achenbach, Duncannon, whose term expired.

DICK THORNBURGH.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

March 10, 1981.

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 Milton Bainbrige (Republican), R. D. 1, Crystal Lake, Carbondale 18407, Susquehanna County, Twentieth Senatorial District, for appointment as a member of the Susquehanna County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Mary V. Tourje, Uniondale, whose term expired.

DICK THORNBURGH.

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

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

YEAS—43

Bell	Hopper	Manbeck	Scanlon
Corman	Howard	Messinger	Shaffer
Early	Jubelirer	Moore	Smith
Fisher	Kelley	Murray	Snyder
Gekas	Kusse	O'Connell	Stapleton
Greenleaf	Lewis	O'Pake	Stauffer
Hager	Lincoln	Pecora	Stout
Hankins	Lloyd	Price	Street
Helfrick	Loeper	Reibman	Tilghman
Hess	Lynch	Rhoades	Zemprelli
Holl	McKinney	Romanelli	

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 LOEPER. Mr. President, I call from the table for consideration the nomination of Paul V. Ressler, as District Justice in and for the County of Allegheny.

The Clerk read the nomination as follows:

DISTRICT JUSTICE

March 9, 1981.

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 V. Ressler, 25 Mildred Street, Pittsburgh 15205, Allegheny County, Thirty-seventh Senatorial District, for appointment as District Justice in and for the County of Allegheny, Class 02, District 23, to serve until the first Monday of January, 1982, vice Robert Forsythe, Crafton, suspended.

DICK THORNBURGH.

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

Senator ZEMPRELLI. Mr. President, again we were confronted with the situation where we understand, and if I am incorrect about this I would want to be advised to the contrary, that the nominee of the Governor for the Justice of the Peace position in Bethel Park, Allegheny County, Pennsylvania, is a candidate for election in this coming Primary. I would ask the Members of my caucus to withhold an affirmative vote based upon the often articulated position of this caucus relative to those candidates who are a candidate for election in the Primary whether they be Democrats or Republicans.

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

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

YEAS—25

Bell	Hess	Loeper	Rhoades
Corman	Holl	Manbeck	Shaffer
Fisher	Hopper	Moore	Snyder
Gekas	Howard	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Street
Hager	Kusse	Price	Tilghman

NAYS—18

Early	Lloyd	O'Pake	Smith
Hankins	Lynch	Reibman	Stapleton
Kelley	McKinney	Romanelli	Stout
Lewis	Messinger	Scanlon	Zemprelli
Lincoln	Murray		

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.  
Ordered, That the Governor be informed accordingly.

POINT OF ORDER  
RE CONSTITUTIONAL MAJORITY

Senator ZEMPRELLI. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The gentleman from Allegheny, Senator Zemprelli, will state it.

Senator ZEMPRELLI. Mr. President, I understand that the Chair has ruled this nominee has been confirmed with twenty-five votes?

The PRESIDENT pro tempore. That is correct. The majority of the Senate having voted in favor of the nomination, the nominee is confirmed and the Governor will be so advised.

Senator ZEMPRELLI. Mr. President, so as to avoid a lengthy record, I would just incorporate the remarks that I have made previously with respect to the confirmations by twenty-five votes and ask that those remarks of mine and the objections to such confirmation be made a part of the record as if they were rearticulated at this particular time in their entirety.

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

#### EXECUTIVE SESSION RISES

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

The motion was agreed to.

#### SENATE RESOLUTION

##### DECLARING WEEK OF JUNE 7TH TO JUNE 13TH, 1981 AS

##### “PENNSYLVANIA SAFE BOATING WEEK”

Senators LOEPER, TILGHMAN, HOWARD and BELL offered the following resolution (Serial No. 33), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, March 31, 1981.

WHEREAS, The Congress of the United States, in recognition of the tremendous growth of recreational boating, approved a request to the President of the United States to annually declare the first full week of June as “National Safe Boating Week”; and

WHEREAS, Despite the need to conserve energy, there are numerous opportunities to enjoy sailing and other forms of recreational boating on all of Pennsylvania’s rivers, lakes and coastal waters; and

WHEREAS, The growing numbers of recreational boaters also acquire the necessary responsibility to conduct their recreational activities in a safe manner; and

WHEREAS, The means and methods of acquiring safe boating skills is readily available to boaters at the various offices of the United States Coast Guard Auxiliary; and

WHEREAS, The Senate of Pennsylvania strongly believes that every recreational boater should possess at least the basic skills necessary to operate the pleasure craft in a safe manner; therefore be it

RESOLVED, That the Senate of Pennsylvania request the Governor of Pennsylvania to proclaim the week of June 7, 1981 to June 13, 1981 as “Pennsylvania Safe Boating Week”; and be it further

RESOLVED, That a copy of this resolution be transmitted to Governor Dick Thornburgh.

#### BILL SIGNED

The President pro tempore (Henry G. Hager) in the presence of the Senate signed the following bill:

**HB 417.**

#### HOUSE MESSAGES

##### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 570**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 303**, which was referred to the Committee on Judiciary.

He also presented for concurrence **HB 158**, which was referred to the Committee on Transportation.

##### BILLS ON FIRST CONSIDERATION

Senator JUBELIRER. 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 14, 124, 314, 343, HB 89, 124 and 326.**

And said bills having been considered for the first time, Ordered, To be laid aside for second consideration.

##### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Richard Colaianni by Senators Bodack and Pecora.

Congratulations of the Senate were extended to Mr. and Mrs. Beth Robbins by Senator Lincoln.

Congratulations of the Senate were extended to Mr. and Mrs. Ben Rosengrant and to Xi Zeta Gamma Chapter of Beta Sigma Phi by Senator O’Connell.

Congratulations of the Senate were extended to John Houston by Senator Lloyd.

Congratulations of the Senate were extended to the Cornell High School Basketball Team and to the Sto-Rox High School Boys’ Basketball Team by Senator Scanlon.

Congratulations of the Senate were extended to Marius G. Santicola and to Mr. and Mrs. Rocco Colaianni by Senator Zemprelli.

##### ANNOUNCEMENTS BY THE SECRETARY

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

## SENATE OF PENNSYLVANIA

## COMMITTEE MEETINGS

WEDNESDAY, APRIL 1, 1981

12:30 P.M. FINANCE (to consider Room 460,  
Senate Bills No. 83, 331 and 4th Floor  
391) Conference Rm.,  
North Wing

THURSDAY, APRIL 2, 1981

10:00 A.M. URBAN AFFAIRS AND Penthouse  
to HOUSING (Public Conference Rm.,  
4:00 P.M. Hearing on Senate Bills State Office  
No. 81, 117 and the issue Building,  
of the conversion of 1400 West Spring  
rental residential units Garden St.,  
to condominium ownership) Philadelphia, PA

MONDAY, APRIL 6, 1981

11:00 A.M. AGRICULTURE AND Room 460,  
RURAL AFFAIRS (to 4th Floor  
consider Senate Bill Conference Rm.,  
No. 512) North Wing

1:30 P.M. ENVIRONMENTAL Room 460,  
RESOURCES AND ENERGY 4th Floor  
(to consider House Conference Rm.,  
Resolution No. 6) North Wing

TUESDAY, APRIL 7, 1981

12:00 Noon MILITARY AND Room 461,  
VETERANS AFFAIRS 4th Floor  
(to consider Senate Bills Conference Rm.,  
No. 185, 456 and House North Wing  
Resolution No. 17)

WEDNESDAY, APRIL 8, 1981

9:30 A.M. COMMUNITY AND Senate Majority  
ECONOMIC DEVELOPMENT Caucus Room  
(Public Hearing to consider  
Pennsylvania Department of  
Commerce's Pa. Industrial  
Development Authority and Pa.  
Minority Business Development  
Authority)

THURSDAY, APRIL 9, 1981

10:00 A.M. Senate Judiciary Sub- Room 1,  
committee to study Allegheny Co.  
Senate Bill No. 128 Court House,  
(Public Hearing) Forbes Ave. and  
Grant Street,  
Pittsburgh, PA

WEDNESDAY, APRIL 15, 1981

9:30 A.M. LAW AND JUSTICE Senate Majority  
(Public Hearing on Caucus Room  
Senate Bill No. 597)

## REPUBLICAN CAUCUS

Senator JUBELIRER. Mr. President, before I move for adjournment, I would like to remind the Republican Members of the Senate of a very important caucus to begin immediately in the first floor caucus room which should not last too long, but I urge them, those who are in their offices and those who are still here, to go to their caucus room immediately upon adjournment.

## ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 1, 1981, at 1:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 5:25 p.m., Eastern Standard Time.