

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, APRIL 27, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 25

SENATE

MONDAY, April 27, 1981.

The Senate met at 3:00 p.m., Eastern Daylight Saving Time.

THE PRESIDENT (Lieutenant Governor William W. Scranton III) in the Chair.

PRAYER

The Chaplain, the Reverend Father JAMES A. TRESTON, Pastor of St. Canicus Church, Mahanoy City, offered the following prayer:

Almighty Father, as we place ourselves in Your presence, we are mindful on this beautiful spring day as we see the budding life around us, that this is another day for more opportunities to grow in Your wisdom and in Your love.

We ask Your blessing upon these dedicated Senators and upon their families and their staffs. We ask You to send the influence of Your spirit that their minds be enlightened and their hearts strengthened in the pursuits of the responsibilities that are theirs today.

We make our prayer with confidence realizing always that with You at our side, all things are possible. With that prayer we offer a note of thanks that in this great land of freedom, we are privileged publicly to invoke Your help.

We pray this in the name of Your son, who lives and reigns forever and ever. Amen.

The PRESIDENT. The Chair thanks Father Treston, who is the guest this week of Senator Rhoades.

JOURNAL APPROVED

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

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

SENATOR SCANLON TO VOTE FOR SENATOR ZEMPRELLI AND SENATOR O'PAKE

Senator SCANLON. Mr. President, I am requesting a temporary leave of absence to about 4:00 p.m. for Senator Zempirelli and a temporary legislative leave for Senator O'Pake until approximately 3:30 p.m.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Rules and Executive Nominations:

CORONER IN AND FOR THE COUNTY OF BRADFORD

April 23, 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 J. McCloskey, 108 Chestnut Street, Towanda 18848, Bradford County, Twentieth Senatorial District, for appointment as Coroner in and for the County of Bradford, to serve until the first Monday of January, 1984, vice Gordon Farr, deceased.

DICK THORNBURGH.

CORRECTION TO NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

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

Please note the nomination for Samuel Dreater, 722 Hill Street, Mayfield 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Mrs. Marie Margaret McHugh, Carbondale, whose term expired, should be corrected to read:

Samuel Dreater, 722 Hill Street, Mayfield 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Farview State Hospital, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Mrs. Marie Margaret McHugh, Carbondale, whose term expired.

**BILLS SIGNED**

The President (Lieutenant Governor William W. Scranton III) in the presence of the Senate signed the following bills:

**HB 472, 570 and 585.**

**HOUSE MESSAGES****HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 243**, which was referred to the Committee on Judiciary.

He also presented for concurrence **HB 706**, which was referred to the Committee on State Government.

**GENERAL COMMUNICATION****ADMINISTRATIVE RULES REPORT  
NO. 2 OF 1981**

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

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Commissioner of Professional  
and Occupational Affairs  
Harrisburg

Legal Office  
Sixth Floor, Box 2649  
Transportation and Safety Bldg.  
(717) 783-7226

April 27, 1981

W. Thomas Andrews  
Secretary of the Senate  
Room 462, Main Capitol Building  
Harrisburg, PA 17120

Dear Mr. Andrews:

Attached please find rules and regulations, which have been proposed by the State Real Estate Commission, concerning rental referral agents.

Pursuant to Section 404 of the Real Estate Licensing Act of February 19, 1980, these proposed rules and regulations are being submitted to yourself and the Chief Clerk of the House of Representatives on this date for printing and distribution among all members of both chambers in the same manner as a reorganization plan.

In conformity with the Reorganization Act of 1955 these proposed regulations are being submitted to both Houses on this date upon advisement that both Houses will be in session.

Sincerely,

P. JOHN DONNELLY  
Chairman, State Real  
Estate Commission

The PRESIDENT. This will appear on the Calendar.

**BILLS INTRODUCED AND REFERRED**

Senators LOEPER, KUSSE, SCANLON, LYNCH, LLOYD and ZEMPRELLI presented to the Chair **SB 710**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," increasing from seventy-five to eighty per centum the loan-to-value ratio on real estate and leasehold loans, increasing from ten to twenty per centum the admitted assets limitation on real estate investment, and allowing Pennsylvania life insurance companies to invest in interest-bearing deposits or certificates of deposit in any State, Federal or Canadian bank or savings and loan association, junior mortgages and trust deeds, foreign obligations and securities, mortgage pass-through certificates and general partnerships, and imposing limitations.

Which was committed to the Committee on BANKING AND INSURANCE, April 27, 1981.

Senators LOEPER, KUSSE, SCANLON, LYNCH, LLOYD and ZEMPRELLI presented to the Chair **SB 711**, entitled:

An Act to provide for the reasonable standardization and minimum loss ratios of coverage and simplification of terms and benefits of group and individual medicare supplement accident and health insurance policies, subscriber contracts of health plan corporations, nonprofit health service plans and certificates issued by fraternal benefit societies; to facilitate public understanding and comparison, to eliminate provisions in such medicare supplement coverage which may be misleading or confusing in connection with the purchase thereof or with the settlement of claims; and to provide for full disclosure in the sale of such coverage to persons eligible for medicare by reason of age.

Which was committed to the Committee on BANKING AND INSURANCE, April 27, 1981.

Senators LOEPER, SCANLON, LYNCH, HANKINS, LLOYD and ZEMPRELLI presented to the Chair **SB 712**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further regulating insurance companies, associations and exchanges and their policy provisions.

Which was committed to the Committee on BANKING AND INSURANCE, April 27, 1981.

Senators LOEPER, KUSSE, SCANLON, LYNCH and ZEMPRELLI presented to the Chair **SB 713**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further providing for uniform policy provisions.

Which was committed to the Committee on BANKING AND INSURANCE, April 27, 1981.

Senator LOEPER presented to the Chair **SB 714**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting a route in Delaware County.

Which was committed to the Committee on TRANSPORTATION, April 27, 1981.

Senators ZEMPRELLI, SINGEL, MURRAY, O'PAKE, HELFRICK and ROSS presented to the Chair **SB 715**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing special tax provisions for expenditures or improvements involving energy sources or conservation.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 27, 1981.

Senators ZEMPRELLI, SINGEL, MURRAY, O'PAKE, HELFRICK, ROSS and LLOYD presented to the Chair **SB 716**, entitled:

An Act establishing a low interest program for the insulation retrofit of existing residential homes; imposing powers and duties on the Governor's Energy Council and making an appropriation.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 27, 1981.

Senators ZEMPRELLI, SINGEL, MURRAY, O'PAKE, HELFRICK, ROSS and LLOYD presented to the Chair **SB 717**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for a limited credit based on insulation expenses.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 27, 1981.

Senators ZEMPRELLI, SINGEL, MURRAY, O'PAKE, HELFRICK and ROSS presented to the Chair **SB 718**, entitled:

A Joint Resolution proposing an emergency amendment to the Constitution of the Commonwealth of Pennsylvania, providing special tax provisions for expenditures or improvements involving energy sources or conservation.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 27, 1981.

Senators PRICE, LOEPER, STAUFFER, GREENLEAF, TILGHMAN and HAGER presented to the Chair **SB 719**, entitled:

An Act 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.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, April 27, 1981.

Senators MESSINGER, ROMANELLI, SCANLON and KUSSE presented to the Chair **SB 720**, entitled:

An Act amending the act of December 12, 1980 (P. L. 1179, No. 219), entitled "Secondary Mortgage Loan Act," exempting certain mortgage banking companies from licensure.

Which was committed to the Committee on BANKING AND INSURANCE, April 27, 1981.

Senators MESSINGER, SCANLON, LLOYD and KUSSE presented to the Chair **SB 721**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," requiring security deposits of unsuccessful bidders to be returned with notification of bid rejection.

Which was committed to the Committee on STATE GOVERNMENT, April 27, 1981.

Senators GREENLEAF, O'PAKE, HELFRICK, SINGEL and PECORA presented to the Chair **SB 722**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for mandatory sentences for crimes convicted with firearms.

Which was committed to the Committee on JUDICIARY, April 27, 1981.

Senators PECORA, RHOADES, O'CONNELL, ANDREZESKI, LINCOLN, KELLEY, STOUT, ZEMPRELLI, LLOYD and SINGEL presented to the Chair **SB 723**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," imposing limitations on the power of the Governor to phase-out or close down certain State institutions.

Which was committed to the Committee on STATE GOVERNMENT, April 27, 1981.

Senator MANBECK presented to the Chair **SB 724**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for individuals evading turnpike tolls.

Which was committed to the Committee on TRANSPORTATION, April 27, 1981.

Senators HOWARD, SNYDER, MANBECK, PRICE, PECORA and FISHER presented to the Chair **SB 725**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the administration, management and investment of certain funds.

Which was committed to the Committee on FINANCE, April 27, 1981.

Senator HELFRICK presented to the Chair **SB 726**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," amending and deleting routes in Columbia County.

Which was committed to the Committee on TRANSPORTATION, April 27, 1981.

Senators BODACK, PECORA, BELL, LINCOLN, ANDREZESKI, ROMANELLI, SINGEL, EARLY, MELLOW, LEWIS, REIBMAN, SCANLON, MESSINGER, HANKINS, ZEMPRELLI, ROSS, LYNCH, STREET, RHOADES, KELLEY, MURRAY, STOUT, McKINNEY and SMITH presented to the Chair **SB 727**, entitled:

An Act establishing a program for employee protection and community stabilization and providing penalties.

Which was committed to the Committee on LABOR AND INDUSTRY, April 27, 1981.

Senators SINGEL, ANDREZESKI, ROSS, O'PAKE, LLOYD, STOUT, BODACK, REIBMAN, EARLY, MELLOW, SHAFFER, CORMAN, HOPPER, McKINNEY, LEWIS, SNYDER, KUSSE and PRICE presented to the Chair **SB 728**, entitled:

An Act making an appropriation to the Department of Public Welfare for continuation of the program for community living arrangements for developmentally disabled.

Which was committed to the Committee on APPROPRIATIONS, April 27, 1981.

**SENATE CONCURRENT RESOLUTION**

**WEEKLY ADJOURNMENT**

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

In the Senate, April 27, 1981.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 4, 1981 and when the House of Representatives adjourns this week it reconvene on Monday, May 4, 1981.

**CALENDAR**

**SB 13 CALLED UP OUT OF ORDER**

SB 13 (Pr. No. 13) — 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**

SB 13 (Pr. No. 13) — 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—45**

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Hopper    | Messinger | Scanlon   |
| Bell       | Howard    | Moore     | Shaffer   |
| Bodack     | Jubelirer | Murray    | Singel    |
| Corman     | Kelley    | O'Connell | Smith     |
| Early      | Kusse     | O'Pake    | Snyder    |
| Fisher     | Lewis     | Pecora    | Stapleton |
| Gekas      | Lincoln   | Price     | Stauffer  |
| Greenleaf  | Lloyd     | Reibman   | Stout     |
| Hager      | Loeper    | Rhoades   | Tilghman  |
| Helfrick   | Lynch     | Romanelli | Wilt      |
| Hess       | Mellow    | Ross      | Zemprelli |
| Holl       |           |           |           |

**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.

**RECESS**

Senator JUBELIRER. Mr. President, I request that the Senate recess at this time for the Committee on Public Health and Welfare to meet off the floor in the Rules Committee room immediately. I am led to believe by the gentleman from Lancaster, Senator Snyder, that meeting will be quite brief. It involves several rereferrals.

Mr. President, immediately after the Committee on Public Health and Welfare meeting, I would ask all Members of the Committee on Rules and Executive Nominations to stand by and we will then have a recessed meeting of the Committee on

Rules and Executive Nominations, to begin immediately after the Committee on Public Health and Welfare adjourns their meeting.

At that time, Mr. President, I would ask Members of the Republican caucus to stand by for a call to the first floor caucus room, where we hope to begin immediately after the Committee on Rules and Executive Nominations meeting. If anybody understands what I said.

Senator SCANLON. Mr. President, I am requesting that all of the Democratic Members please go to the caucus room immediately where we will attempt to get our caucus started as soon as the Chair recesses the Senate.

The PRESIDENT. For the purpose of a Democratic caucus and a meeting of the Committee on Public Health and Welfare in the Rules Committee room, both of which will convene immediately, to be followed by a meeting of the Committee on Rules and Executive Nominations after the meeting of the Committee on Public Health and Welfare and by a Republican caucus at the termination of the two committee meetings, the Chair declares the Senate in recess.

**AFTER RECESS**

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

**CONSIDERATION OF CALENDAR RESUMED**

**FINAL PASSAGE CALENDAR**

**BILL OVER IN ORDER ON THIRD CONSIDERATION**

HB 22 (Pr. No. 22) — Senator JUBELIRER. Mr. President, I move to reconsider the vote by which the bill passed on third consideration.

The motion was agreed to.

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

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

Amend Sec. 1 (Sec. 901), page 1, line 13, by inserting after "council," except as provided in section 901.1,

Amend Sec. 1 (Sec. 901), page 3, lines 9 through 13 by striking out "In the" in line 10, all of lines 10 through 13, and inserting:

Section 2. The act is amended by adding a section to read:  
Section 901.1. Vacancies in a Majority Office of Council.—  
In the case where there are vacancies in more than a majority of the offices of council, the vacancies shall be filled to such extent that there are enough members to have a simple majority. In such an event these vacancies shall be filled by a Citizens Vacancy Board which shall consist of seven registered electors who reside in the borough. These members shall be appointed at-large from within the borough by the existing council members no later than seven days after the vacancy or vacancies which render the council at less than a majority. The Citizens Vacancy Board shall fill the existing vacancy or vacancies within twenty days after its creation.

Amend Sec. 2, page 3, line 14, by striking out "2." and inserting: 3.

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

Senator O'CONNELL. Mr. President, these amendments I am proposing deviate just a little bit from the normal course of filling vacancies in councils. These amendments purport to set up a Vacancy Board of some seven persons from the entire municipality and it would be their responsibility, particularly in circumstances where a council is depleted, does not have a simple majority, to suggest or recommend names to that particular body for appointment so a majority of members again would be in place and again thereby be ordered to carry on the functions of that municipality.

Mr. President, it purports to circumvent the courts and it sets a deadline or a time frame so that municipality would not be unduly penalized or so they would not be without a governing body for an inordinate amount of time.

Mr. President, I would request support for the amendments.

Senator CORMAN. Mr. President, it is not very often I rise to oppose my learned colleague, the gentleman from Luzerne, Senator O'Connell, on issues of this nature, but I feel at this particular time, I am compelled to do so.

Mr. President, filling vacancies in local government has often been a problem. It has been a problem we have wrestled with in the General Assembly on several occasions. It was addressed by the Local Government Commission and a series of bills were drafted and submitted to the General Assembly. They were House Bills No. 19, 21, 22 and 23. They all passed the House overwhelmingly. The bills were then submitted to the Senate and on April 21, 1981, we passed by a unanimous vote of 48-0 House Bill No. 19, House Bill 21 and House Bill No. 23 that all dealt with the same issue. House Bill No. 19 was dealing with the second class townships; House Bill No. 21 dealt with the first class townships and House Bill No. 23 dealt with town councils.

Mr. President, we are trying to have a sameness in all the regulations involved in local government for filling of vacancies or whatever the situation may be at the time.

Mr. President, I would oppose these amendments. They are dealing with borough code to establish the same rules and regulations for filling vacancies that we have with all other units of local government and I would encourage all my colleagues to join me in opposing these amendments at this time.

Senator O'CONNELL. Mr. President, it is important we take into consideration a very serious deficiency in the method now of filling the vacancies. That is the procedure whereby they have to go to a court. In this instance, there is no time frame or no deadline that that court has to meet. It is strictly a petition to the court. If we were to petition a court today, that does not encourage them to act on any particular time frame and they can delay it in an inordinate way.

Mr. President, I would recommend that is tremendously important under this circumstance. It is somewhat of an emergency procedure in nature and should be dealt with. I do not know that we have to have uniformity. I was aware of those bills, I was aware they were on the Calendar and I did vote for

them. They did not deal with the problem I was attempting to resolve. The problem I dealt with was within the boroughs and I wanted to specifically address myself to that.

Senator CORMAN. Mr. President, if I may just make one final comment, House Bill No. 22 as it currently reads would say that in the case where there are vacancies in more than a majority of the offices of council, the Court of Common Pleas shall fill such vacancies upon presentation of petitions signed by not less than fifteen registered electors of the borough. In case of timeliness, as soon as the people petition the court, they can take action on filling the vacancies.

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

The yeas and nays were required by Senator O'CONNELL and were as follows, viz:

YEAS—20

|           |           |           |          |
|-----------|-----------|-----------|----------|
| Bell      | Hager     | Loeper    | Rhoades  |
| Early     | Helfrick  | Manbeck   | Shaffer  |
| Fisher    | Holl      | Moore     | Street   |
| Gekas     | Hopper    | O'Connell | Tilghman |
| Greenleaf | Jubelirer | Pecora    | Wilt     |

NAYS—27

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Lewis     | O'Pake    | Smith     |
| Bodack     | Lincoln   | Price     | Snyder    |
| Corman     | Lloyd     | Reibman   | Stapleton |
| Hess       | Lynch     | Romanelli | Stauffer  |
| Howard     | Mellow    | Ross      | Stout     |
| Kelley     | Messinger | Scanlon   | Zemprelli |
| Kusse      | Murray    | Singel    |           |

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

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

RECONSIDERATION OF HB 22

AMENDMENTS LAID ON THE TABLE

Senator O'CONNELL. Mr. President, I move to reconsider the vote by which the amendments to House Bill No. 22 were defeated.

Senator BELL. Mr. President, I second the motion.  
The motion was agreed to.

And the question recurring,  
Will the Senate agree to the amendments offered by Senator O'Connell?

Senator JUBELIRER. Mr. President, I request that House Bill No. 22, Printer's No. 22, go over in its order.

The PRESIDENT. The Senate will be at ease.  
(The Senate was at ease.)

Senator JUBELIRER. Mr. President, I withdraw my request that House Bill No. 22, Printer's No. 22, go over in its order.

Mr. President, I move that the amendments be laid on the table.

The motion was agreed to.

The PRESIDENT. House Bill No. 22 will go over in its order on third consideration.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AMENDED

HB 686 (Pr. No. 1161) — Considered the third time,

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

TILGHMAN AMENDMENTS

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

Amend Title, page 1, line 12, by inserting after "THE": Governor, the

Amend Sec. 1, page 2, by inserting between lines 29 and 30:

To the Governor

For the General Counsel.....\$150,000

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

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Tilghman.

The PRESIDENT. Will the gentleman from Montgomery, Senator Tilghman, permit himself to be interrogated?

Senator TILGHMAN. I will, Mr. President.

Senator KELLEY. Mr. President, would the sponsor of the amendments, the gentleman from Montgomery, Senator Tilghman, please make an explanation of the amendments so I would know upon what we are voting?

Senator TILGHMAN. Mr. President, these amendments are an appropriation, for the remainder of this year, of \$150,000 to the General Counsel's office, which I believe is under the office of the Governor. This is part of that legislation we voted for relative to the Attorney General and the General Counsel. This is for the remainder of this year. It is a start-up cost.

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

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

YEAS—44

Table with 4 columns of names: Andrezeski, Hopper, Mellow, Scanlon; Bodack, Howard, Messinger, Shaffer; Corman, Jubelirer, Moore, Singel; Early, Kelley, Murray, Smith; Fisher, Kusse, O'Connell, Snyder; Gekas, Lewis, Pecora, Stapleton; Greenleaf, Lincoln, Price, Stauffer; Hager, Lloyd, Reibman, Stout; Helfrick, Loeper, Rhoades, Street; Hess, Lynch, Romanelli, Tilghman; Holl, Manbeck, Ross, Wilt

NAYS—3

Table with 3 names: Bell, O'Pake, Zemprelli

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

On the question,

Will the Senate agree to the bill on third consideration, as amended?

MESSINGER AMENDMENTS

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

Amend Title, page 1, line 14, by inserting after "RESOURCES":, the Department of Revenue Amend Sec. 1, page 3, by inserting between lines 7 and 8:

To the Department of Revenue

For the distribution of Public Utility Realty Tax.....\$5,466,000

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

Senator MESSINGER. Mr. President, these amendments to House Bill No. 686 are to increase the appropriation for the distribution of the Public Utility Realty Tax from \$41 million to \$46.466 million. Due to an error by the Department of Revenue during the budget preparation of the past year, there is a deficit with regard to the public utility tax distribution to our municipalities. The Governor's Budget office has informed our Committee on Appropriations the exact deficit amounts to \$5.466 million. The Governor's office has indicated since this past October that they intend to ask for a supplemental appropriation to restore the money. To date they have not done so and, therefore, this legislation would authorize the supplemental appropriation necessary. This is sometimes referred to as the PURTA tax.

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

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

REIBMAN AMENDMENT

Amend Sec. 1, page 3, by inserting between lines 5 and 6:

For the purpose of distribution to qualified political subdivisions to provide emergency loans to public water supply companies for restoration projects necessitated by the drought of 1980-1981. Loans shall be for projects designed to protect the public health or safety.....5,000,000

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

Senator REIBMAN. Mr. President, I think this is an extremely crucial amendment for the following reasons. It proposes a supplemental appropriation of \$5 million to the Pennsylvania Emergency Management Agency which would then be used to provide emergency loans to political subdivisions or their instrumentalities to aid water supply companies for restoration projects necessitated by the drought of 1980-81. These loans shall be for projects designed to protect the public health and safety of the citizens of Pennsylvania.

Let me say, Mr. President, Title XXXV of Pennsylvania Consolidated Statutes says that whenever the Governor has declared a disaster emergency, he may transfer unused State funds to an agency to be spent on such kind of disaster relief. The maximum amount which could be thus transferred is \$5 million, the subject of this amendment. The Governor has declared such a disaster and has declared Pennsylvania to have a drought emergency in many of Pennsylvania's counties.

Mr. President, the purpose of this amendment is consistent with the purposes of that Code and the Pennsylvania Emergency Management Services Code.

Mr. President, water rates are the only existing source of capital for water companies in order to rehabilitate their water facilities or to drill new wells or to install water meters, flow restricters or to even hook up with other water companies. This money would provide the capital which is needed now. The loans would be amortized through rate increases over a period of years. There are now forty-seven companies operating under an emergency water rationing plan and there will be more because of the drought situation and the number of years calculated for the groundwater to regenerate. The Pennsylvania Emergency Management Agency attempted but was unable to provide enough equipment for these companies. If the demand for the emergency aid grows and everything shows it will grow and as the supplies dwindle, the PEMA will be even more severely strapped.

Mr. President, providing low interest loans to aid these water companies will enable them to take the essential steps to protect their existing supplies and to help us in the conservation of perhaps our most important resource and that is water.

Mr. President, the money is available now. The Governor has said there is a surplus of over \$66 million. The aid is needed now. It is money which will be returned to the State and we should pass this amendment, Mr. President.

Senator TILGHMAN. Mr. President, as the lady from Northampton, Senator Reibman said, these amendments would cost \$5 million and the lady mentioned there are funds projected by the Office of the Budget to be available at the end of this year, June 30th. All of those funds have been taken care of in the General Appropriations bill as proposed by the Governor or his suggestion for such a bill.

Mr. President, I really think the best solution to our water problems is a little more rain. I am not sure how we can correct it by \$5 million. For this reason, Mr. President, I would ask for a negative vote on these amendments.

Senator REIBMAN. Mr. President, I think it is only fair to say that the budget was drafted by the Budget Office before the drought occurred and certainly, unless they have some kind of a crystal ball over there, I do not see how relevant the argument that was just made on the floor is important to this. This is not a grant, it is a loan program. It will be paid back. The need is there. Sure rain will help, but we have no control over rain. All of the geologists indicate that it will take at least four to five years to get the water table back to the place where it needs to be so that Pennsylvania will have enough water.

Mr. President, we will find ourselves in the same situation with the loss of oil, as we will now with the loss of water, unless we do something now to conserve water. To make sure that the supply that is dwindling is taken care of, and the only way it can be done is to see that these water supply companies can rehabilitate their facilities to provide what is so absolutely essential to Pennsylvania's economy, to industry, to agriculture and to the health and safety of people who need water as a food as well. It is inconceivable to me that a loan program, such as this, of \$5 million cannot be passed to aid in such an important measure.

Senator MOORE. Mr. President, I do not think there is any question that the legislative objective of the lady from Northampton, Senator Reibman, is a commendable one. I think most of us in our Senatorial Districts have experienced crisis with our local municipalities due to the recent drought. However, I think the lady's approach to the solution to this problem could be improved by following the example of the low interest rate loan program we have provided for the volunteer fire companies, ambulance groups, and rescue squads. I would suggest that the lady consider a bond issue and a revolving fund for this purpose. As a matter of fact, Mr. President, I have just been informed by my colleague, the President pro tempore, that the administration is planning to introduce such legislation in the very near future.

Mr. President, for that reason and for that reason alone, although I agree that the lady has a very commendable objective, I would suggest that this amendment be turned down.

Senator REIBMAN. Mr. President, at the risk of taking the floor once more, for the information of the gentleman, my colleague from Perry, Senator Moore, I had introduced a package of bills several weeks ago, one of which asks for a long term \$100 million bond issue referendum. I have also asked for a loan program as well. I have the feeling that my package of bills will either be redrafted under different sponsorship, which is all right with me, but the fact remains that this is very important. The emergency is now. This is a \$5 million loan program. The machinery is set up. Precedents have been set up to provide this under other disaster loan programs. The law provides for this, the money is there, the need is now. Mr. President, I see no point in this kind of procrastination purely for the sake of politics.

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

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

YEAS—21

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Andrezski | Lloyd     | O'Pake    | Singel    |
| Bodack    | Lynch     | Reibman   | Smith     |
| Early     | Mellow    | Romanelli | Stapleton |
| Kelley    | Messinger | Ross      | Stout     |
| Lewis     | Murray    | Scanlon   | Zemprelli |
| Lincoln   |           |           |           |

NAYS—26

|           |           |           |          |
|-----------|-----------|-----------|----------|
| Bell      | Hess      | Manbeck   | Shaffer  |
| Corman    | Holl      | Moore     | Snyder   |
| Fisher    | Hopper    | O'Connell | Stauffer |
| Gekas     | Howard    | Pecora    | Street   |
| Greenleaf | Jubelirer | Price     | Tilghman |

|          |        |         |      |
|----------|--------|---------|------|
| Hager    | Kusse  | Rhoades | Wilt |
| Helfrick | Loeper |         |      |

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

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

LEWIS I AMENDMENTS

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

Amend Title, page 1, line 12, by inserting after "TO THE": Department of Education, the

Amend Sec. 1, page 2, by inserting between lines 29 and 30:

To the Department of Education

To provide for retroactive payment of a 4.5% negotiated compensation increase for eligible faculty members of the State colleges and university for the period September 1, 1977 to June 30, 1978.....\$5,000,000

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

Senator LEWIS. Mr. President, these amendments are offered for the purpose of meeting the legal responsibilities of the Commonwealth which have been made clear to us as a result of a Commonwealth Court opinion that was handed down just about three weeks ago. The background of it is really quite simple. In March of 1978, an arbitration that had been considering the pay levels of the college and university professors in the Commonwealth system issued an award for wages that were made retroactive to September of 1977, the time period for which the contract that they had been working under expired. The Commonwealth of Pennsylvania refused to make payment for that retroactive pay increase which amounted to 4.5 per cent. The association representing the professors took the matter to court and on April 1st of this year the Commonwealth Court, in an opinion written by Judge Blatt, said that in fact, the arbitration award in its retroactive state was binding upon the Commonwealth. What that means is, as a result of that award in the Commonwealth Court opinion, this Commonwealth is obligated to make payment of that pay increase that had been awarded, now two and a half years ago, but never paid.

Mr. President, this appropriation is intended to meet this legally binding obligation of the Commonwealth and I would ask an affirmative vote.

Senator TILGHMAN. Mr. President, these are other amendments for \$5 million to cover the fiscal year 1977 to June 30th of 1978. I find it difficult to understand how we can go back and make these amendments for a prior year. We are talking four years ago now. I also recall in the appropriation hearings no particular conversation as to this salary increase but I do recall and I have seen statistics stating that some of the professors, associate professors and others at our State colleges receive a higher pay than some of the most prestigious

colleges in the United States. I am not talking about their desire for a higher salary, I think everybody wants that.

Mr. President, I would urge a negative vote on this \$5 million to be appropriated out of these funds in this year for an action that took place four years ago.

Senator LEWIS. Mr. President, I think that the gentleman from Montgomery, Senator Tilghman, has entirely missed the point that needs to be addressed here. Let me say that there would not have been any discussion about this matter in the meeting of the Committee on Appropriations simply because the item was in litigation. As I pointed out, the Commonwealth Court opinion came down on April 1st of this year, after we concluded those meetings of the Committee on Appropriations.

Mr. President, the very simple fact of the matter is we are now legally obligated to make this payment to those professors. Whether we like it or not, it stands as a fact of life that the payment is going to have to be made and it can only happen in one of two ways. Either we are going to have to allocate the money as a separate special item, taking recognition of the obligation which we refused to recognize two and a half years ago and are now forced to recognize, or the colleges are going to have to take it out of the current operating funds that are being allocated to them. The item is going to have to be paid, we cannot avoid our responsibilities any longer and we simply cannot possibly permit our colleges and universities to have to cut into their current operating budgets to the sum of \$5 million to meet this court award that has to be paid.

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

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

Senator LEWIS. I will, Mr. President.

Senator BELL. Mr. President, is there not a right of appeal from a Commonwealth Court decision?

Senator LEWIS. Mr. President, there certainly is.

Senator BELL. Mr. President, would the gentleman tell us how many days the Commonwealth has to appeal that decision?

Senator LEWIS. Mr. President, I do not have the faintest idea.

Senator BELL. Mr. President, it is my understanding there is a right of appeal of thirty days, and the time for appeal has not expired.

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

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

YEAS—21

- |            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Lloyd     | O'Pake    | Singel    |
| Bodack     | Lynch     | Reibman   | Smith     |
| Early      | Mellow    | Romanelli | Stapleton |
| Kelley     | Messinger | Ross      | Stout     |
| Lewis      | Murray    | Scanlon   | Zemprelli |
| Lincoln    |           |           |           |

NAYS—26

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

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

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

LEWIS II AMENDMENTS

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

Amend Title, page 1, line 12, by inserting after "THE": Pennsylvania Higher Education Assistance Agency, the Amend Sec. 1, page 2, by inserting between lines 29 and 30:

To the Pennsylvania Higher Education Assistance Agency

For matching payments for student aid funds.....\$232,000

On the question,

Will the Senate agree to the amendments?

Senator LEWIS. Mr. President, these amendments are the same subject which was discussed at great length at the time when we were considering the special appropriation for the payment of the expenses for the Special Election recently conducted. For the benefit of my colleagues by way of refreshing their recollection, let me remind them that this is a subject matter that was discussed at great length in the recent meetings of the Committee on Appropriations in which the Chairman of the Pennsylvania Higher Education Assistance Agency pleaded with this Legislature to make available the remaining monies to meet the commitments and the needs for student employment for the balance of this current fiscal year for our colleges.

Mr. President, we are short by the sum of \$232,000 in meeting the State's obligations with respect to the student employment program. Of equal or greater importance is the fact that the availability of this State money will immediately qualify the Commonwealth for Federal matching funds at the ratio of four to one, so by making available \$232,000 for matching payments for our student aid programs, we will qualify for \$1 million in Federal monies. These funds very simply are made available to our college students in a variety of work related and aid programs that they are absolutely dependent upon in many instances for generating the funds they need in order to pay their tuition expenses.

Mr. President, I would request a favorable vote by all of the Members of this Chamber in recognition of the fact there is so much Federal money available here and the purposes for this are so critical for our college students in our Commonwealth system in Pennsylvania.

Senator TILGHMAN. Mr. President, not to repeat many of the remarks that were made earlier, I would ask for a negative vote on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

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

YEAS—21

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Lloyd     | O'Pake    | Singel    |
| Bodack     | Lynch     | Reibman   | Smith     |
| Early      | Mellow    | Romanelli | Stapleton |
| Kelley     | Messinger | Ross      | Stout     |
| Lewis      | Murray    | Scanlon   | Zemprelli |
| Lincoln    |           |           |           |

NAYS—26

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

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

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

LEWIS III AMENDMENTS

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

Amend Title, page 1, line 12, by inserting after "TO": the Department of Education, Amend Sec. 1, page 2, by inserting between lines 29 and 30:

To the Department of Education

For payment of approved operating and capital expenses of community colleges and technical institutes.....\$5,670,000

Commonwealth allocations to the community colleges from the funds appropriated herein shall be separately calculated for community and public services including noncredit continuing education as defined by the Higher Education Finance Manual and the higher education general information survey.

An independent audit report for the preceding fiscal year, which is consistent with the Higher Education Finance Manual shall be submitted by each community college to the Department of Education not later than 120 days after the close of the preceding fiscal year. The Department of Education may withhold whatever funds appropriated herein it feels necessary to ensure that such audit reports are submitted in the prescribed fashion.

On the question,

Will the Senate agree to the amendments?

Senator LEWIS. Mr. President, these particular amendments are of significant impact and concern to our community colleges in Pennsylvania. Last year we might recall this General Assembly passed legislation that increased the equivalent full-time student subsidy from its prior level of \$500 to a new level of \$600.

Mr. President, last year we passed an amendment to the Community College Act which increased the equivalent full-time student subsidy from its previous level of \$500 per year to a new level of \$600 per year. This was done obviously in recognition of the increasing costs and expenses being endured and incurred by our community colleges. Unfortunately, the necessary and appropriate changes and increases in the budget allocations for the fiscal year were not made. As a result, we have fallen dramatically short of the funding needs to meet the legislative directives which this General Assembly passed in that special legislation.

Mr. President, the shortfall is \$5,670,000, which our community colleges have not received under the new legislative directives adopted by this General Assembly.

Mr. President, I do not think anyone's imagination needs to be stimulated to understand how serious and negative the impact has been upon all of our community colleges in this Commonwealth as a result of their failure to receive that absolutely necessary funding.

Mr. President, these amendments would simply provide the monies that are necessary to meet the commitments that this General Assembly has made to our community colleges, but which have not been adequately funded in the original budget that was adopted some months ago.

Senator TILGHMAN. Mr. President, to be brief, we did not see the last amendments. I have never seen these amendments to this moment. It is slightly over \$5 million and I ask for a negative vote.

Senator LEWIS. Mr. President, I do not know why the gentleman from Montgomery, Senator Tilghman, has not seen the amendments. They have been in the possession of the Republican staff now for at least three to four weeks. I feel badly if the gentleman has not seen it, but they have been available and distributed to them at least that long ago.

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

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

YEAS—21

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Lloyd     | O'Pake    | Singel    |
| Bodack     | Lynch     | Reibman   | Smith     |
| Early      | Mellow    | Romanelli | Stapleton |
| Kelley     | Messinger | Ross      | Stout     |
| Lewis      | Murray    | Scanlon   | Zemprelli |
| Lincoln    |           |           |           |

NAYS—26

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

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

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

The PRESIDENT. House Bill No. 686 will go over on third consideration, as amended.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 16 (Pr. No. 709) — 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—47

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

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

HB 33 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 108 (Pr. No. 741) — 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 SHAFFER. Mr. President, I would like to change my vote from "no" to "aye."

The PRESIDENT. 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—34

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Holl      | Lynch     | Rhoades   |
| Corman     | Hopper    | Manbeck   | Shaffer   |
| Early      | Howard    | Mellow    | Singel    |
| Fisher     | Jubelirer | Moore     | Snyder    |
| Gekas      | Kelley    | O'Connell | Stapleton |
| Greenleaf  | Kusse     | O'Pake    | Stauffer  |
| Hager      | Lincoln   | Pecora    | Tilghman  |
| Helfrick   | Lloyd     | Price     | Wilt      |
| Hess       | Loeper    |           |           |

NAYS—13

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Bell      | Murray    | Ross    | Stout     |
| Bodack    | Reibman   | Scanlon | Street    |
| Lewis     | Romanelli | Smith   | Zemprelli |
| Messinger |           |         |           |

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

**HB 123** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 124 (Pr. No. 125)** — 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—44

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Holl      | Mellow    | Scanlon   |
| Bell       | Hopper    | Messinger | Shaffer   |
| Bodack     | Jubelirer | Murray    | Singel    |
| Corman     | Kelley    | O'Connell | Smith     |
| Early      | Kusse     | O'Pake    | Stapleton |
| Fisher     | Lewis     | Pecora    | Stauffer  |
| Gekas      | Lincoln   | Price     | Stout     |
| Greenleaf  | Lloyd     | Reibman   | Street    |
| Hager      | Loeper    | Rhoades   | Tilghman  |
| Helfrick   | Lynch     | Romanelli | Wilt      |
| Hess       | Manbeck   | Ross      | Zemprelli |

NAYS—3

|        |       |        |
|--------|-------|--------|
| Howard | Moore | Snyder |
|--------|-------|--------|

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

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

BILL OVER IN ORDER

**HB 227** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AMENDED

**SB 356 (Pr. No. 359)** — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, lines 2 and 3, by striking out "lighting equipment for coroners"

Amend Sec. 1 (Sec. 102), page 2, line 6, by inserting after "chief": or when a fire company has three or more fire vehicles, a second assistant chief,

Amend Sec. 1 (Sec. 102), page 2, line 7, by inserting after "commander": or emergency management coordinator or fire marshal

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

Senator O'CONNELL. Mr. President, the original bill provides for flashing lights for coroners. The amendments would add fire companies that would have three or more fire vehicles or a second assistant chief and another provision of the amendments would provide for flashing lights for emergency management coordinator of fire marshals. Mr. President, I would ask adoption of these amendments.

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

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

BILL OVER IN ORDER

**SB 388** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION, DEFEATED ON FINAL PASSAGE

**SB 399 (Pr. No. 745)** — Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

Senator ZEMPRELLI. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Tilghman.

The PRESIDENT. Will the gentleman from Montgomery, Senator Tilghman, permit himself to be interrogated?

Senator TILGHMAN. I will, Mr. President.

Senator ZEMPRELLI. Mr. President, does Senate Bill No. 399 provide for a \$25 registration fee for teachers?

Senator TILGHMAN. That is correct, Mr. President.

Senator ZEMPRELLI. Mr. President, I wonder if the gentleman would explain the bill?

Senator TILGHMAN. Mr. President, there is a constituent in my district who runs in Philadelphia the Bryant Teachers Bureau. In the early 1930's, and some subsequent years, they were allowed to charge a \$2.00 registration fee. Certain other employment agencies were also allowed to charge in those days a registration fee.

Mr. President, this particular bureau feels the work they perform for the teacher is more complete and more detailed than it is for the general employment agency in that they have

to go back over the teacher's record, then prior schools and write for information and various other pieces of paper. This would allow them to charge the teachers a \$25 registration fee. It also applies to certain nonprofessionals or non-teachers in this school system.

Senator ZEMPRELLI. Mr. President, under current law, an employment agency may not charge a registration fee. There are two things that appear, Mr. President, to be totally offensive about this bill. One is that it would establish the practice of allowing registration fees and secondly, it would single out a single industry for the imposition of these fees, that of the teachers.

Mr. President, those two matters and two comments should be sufficient offensive to one to vote negatively on Senate Bill No. 399, but add to that the fact that the greatest rip-off of anything that is in our society today is the employment agencies and I do not apologize for that statement. We know of specific instances where employment agencies have done nothing more than to read the newspapers that are published in the community as to employment opportunities and to suggest to those that call upon them to call upon those classifications.

Mr. President, I would hope that every Member of the Senate would not want to aid and abet that kind of activity by allowing the invasion of a registration fee for any profession or industry, and secondly, Mr. President, I do not think it would be in good conscience correct to do it with respect to the teachers at this particular time.

I would ask for a negative vote on Senate Bill No. 399, Mr. President.

Senator TILGHMAN. Mr. President, just to clear up a couple of points if I may. This does not put a \$25 fee on teachers per se. It puts a fee on those teachers that go through an employment agency looking for a position. I also think the gentleman, if I heard him correctly, stated many employment agencies are rip-offs. They may well be, but I can speak specifically of a situation where a son of mine went to an employment agency and he got a first-class job through the Burroughs Corporation and that employment agency in turn got a certain percentage of his first two or three months salary.

So, Mr. President, employment agencies do have a position in our society. I do not think it is quite fair to stand on the floor of this Senate and say carte blanche that they are all rip-offs, because they are not.

Senator ZEMPRELLI. Mr. President, I certainly do not want to place the white brush of condemnation on everybody in the industry. I am sure there are very legitimate employment agencies.

Mr. President, I think the gentleman has answered the question in his remarks and that is, there is absolutely nothing wrong with an employment agency that collects a fee for a service performed, and that is in the securing of the employment. What is happening here, Mr. President, and what needs to be said, is that a registration fee is nothing more than a registration fee. That is, we pay that \$25 and they show you a list and if there is nothing there from which you would secure

employment, it has cost you \$25. Conceivably, Mr. President, all that agency could be showing us is the same thing that would be available through the use of a twenty cent newspaper, at least if we were going to buy the Press or Post Gazette in Pittsburgh. I do not know what it is in Philadelphia.

Mr. President, I just think it is a horrendous practice for us to become engaged in in charging a registration fee that does not promise any employment or one that is not predicated upon performance. Performance is the acquisition of the job and the person securing the job should be willing to pay for that job as is now the practice. A registration fee is nothing more than an invitation to abuse.

Mr. President, I would apologize to those people who are in the employment agency business, who are legitimate, and I am sure there are very many, and probably no more than in any other section of our society of those that are dealing in business and professions, there are those who are not. Let us not give those who are not, additional incentive to practice their fraud upon the public and this certainly would seem to be an incentive in that direction.

Mr. President, I renew my remarks and ask very respectfully that the Senate reject Senate Bill No. 399 for what it is worth, and that is nothing.

Senator BELL. Mr. President, I was undecided as to how I would vote when I have been listening to this debate. I am inclined now to vote "no" because I am afraid this would be the camel's nose. Today the teachers; tomorrow somebody else.

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—21

|           |        |           |          |
|-----------|--------|-----------|----------|
| Corman    | Holl   | Manbeck   | Shaffer  |
| Fisher    | Hopper | Moore     | Snyder   |
| Gekas     | Howard | O'Connell | Stauffer |
| Greenleaf | Kusse  | Price     | Street   |
| Hager     | Loeper | Rhoades   | Tilghman |
| Helfrick  |        |           |          |

NAYS—26

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Lewis     | O'Pake    | Singel    |
| Bell       | Lincoln   | Pecora    | Smith     |
| Bodack     | Lloyd     | Reibman   | Stapleton |
| Early      | Lynch     | Romanelli | Stout     |
| Hess       | Mellow    | Ross      | Wilt      |
| Jubelirer  | Messinger | Scanlon   | Zemprelli |
| Kelley     | Murray    |           |           |

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

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 425 (Pr. No. 431)** — Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

## YEAS—47

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

## 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 503 (Pr. No. 743)** — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

Senator EARLY. Mr. President, I would like to emphasize the importance of this particular piece of legislation. It was brought out in the hearings of the Committee on Appropriations that the State of Pennsylvania is currently purchasing vehicles for the Department of Transportation that are not being manufactured or assembled in the United States. We in Pennsylvania are purchasing foreign trucks.

Mr. President, I think Senate Bill No. 503 is long overdue and I would urge an affirmative vote.

Senator HESS. Mr. President, I have often been advised not to debate against motherhood and apple pie. I seriously question what we are doing here today and what possibly will be the end result.

Recently, Mr. President, I heard the President of the United Auto Workers admit that yes, there were some deficiencies in the production of American automobiles and the corrections were taking place. I have also heard that admitted to by the presidents of the four major automobile companies in this country. I would think any State or local agency covered under Senate Bill No. 503 would purchase the best made car to serve those constituents at the best price. Mr. President, I know the arguments will come here and there from why prices are lower or higher and so forth.

Mr. President, when you talk about quality, let me set the record straight. I have recently been the owner of a General Motors car and I am now the owner of a Ford Motors car. Based on my experience, I would not want to force any municipality to buy either one of them. As a matter of fact, Mr. President, they are both a piece of junk. My Vega fell apart in about six months. I have had a Ford for about 3,000 miles. It has been towed three times within three blocks of the Capitol

over to Francis For Fords. This weekend I spent Friday pushing it back and forth in the municipal parking lot so people could get in and out of their parking place. Now I understand one of the few companies I have left is Chrysler and that is going under.

Mr. President, are we here in Pennsylvania to set a trade policy? Are we to be the first one of fifty to say "no more"? What will be the reaction of the world? Mr. President, I would ask each Member to consider within their district how many of the people that work there make parts and sell their products and their services overseas. I do not see a bill on this Calendar saying no municipality or no State agency cannot buy equipment such as microphones, et cetera. We cannot buy any American-made ones. They are not made here. Or the stereo systems or box systems we listen to to know when to get down here for a vote.

Mr. President, I realize Senate Bill No. 503 is going to pass but I want to put on the record when American cars are made to the quality the American trades have shown in the past, we will buy American cars.

Senator BELL. Mr. President, I have driven American cars. I have not had the experiences of the gentleman from York, Senator Hess. I am very contented with an Oldsmobile I am driving. I think American workmen can produce as good as the Japanese or the Germans.

Mr. President, there is a little bit more in this than that. Every American car that is on that highway contains American steel. This State is the largest steel producing State in the United States and steel is produced with coal and it is mined with American workers.

As far as the cost is concerned, I am not going to take the time of this Senate. I am ready at any time to show figures to anybody in this room that shows one would save money, that is the State would save money, by buying American because of the taxes that accrue, not only the income tax and the other taxes under the State, but also those of us from southeastern Pennsylvania who have so many people working at Chrysler and General Motors' plants in Delaware. The people in the western part of the State have the people working at Volkswagen, they can tell us, if those plants close, we are going to have more people on the UC rolls and more people on the welfare rolls.

Finally, this country today lacks one of the most critical things to defend this country. That is industrial capacity. If we keep favoring Japan and Germany with no customs, the free delivery of these vehicles over the wharves, the vehicles produced with lower wages, with no taxes, we are going to kill this country.

Mr. President, I urge a favorable vote.

Senator EARLY. Mr. President, I take exception to what was said on the floor. I think General Motors and Ford, both make excellent cars. I have had both in the past. I will have to indicate to the gentleman that being a father of three sons, there have been times when a car did not hold up. I blame the driver of the automobile, not the automobile itself.

Mr. President, I also take offense when we are advocating that steel, glass, aluminum, be purchased for automobiles

from out of the country. When an automobile is made out of the country, so is the glass. I happen to have a glass company in my particular district. There is no doubt we have aluminum companies in Allegheny County. We have steel companies. These individuals who manufacture this, and I do not accept the fact they do a poor job, but I would like to emphasize these individuals are the ones who pay taxes that goes to pay our salaries. I think that in turn is an incentive for us to vote for this legislation.

Senator KELLEY. Mr. President, I would rather not get involved in the comments about the American automobiles, because we rather confine the description to traditional manufacturers' names. I think each one of us, at least those of us who participated in establishing the Commonwealth participation in the Volkswagen Westmoreland assembly plant should take a little bit of pride as far as those products would be eligible under this bill. I do not know if the gentleman from Delaware, Senator Bell, the prime sponsor of Senate Bill No. 503, supported the VW thing.

Mr. President, that is not particularly important. The important thing is the workmanship of that plant and those people who are Pennsylvanians primarily certainly give a work product of which we can be very proud. I do not think it is particularly important for us to get involved in the quality of the work as much as it is to get in the collateral aspects and I am not so sure we have jurisdiction on because we are talking about international affairs and importation and protectionism.

All in all, Mr. President, I think it might be a good step for us to support this bill, as the first instance, to try to establish a priority of commitment on behalf of the Commonwealth but at the same time try to remain with some objectivity about the fact we do not want to be totally into protectionism because indeed may I remind my colleagues, Mr. President, it is the coal that is produced here that goes to other countries as well. We cannot have it both ways.

Mr. President, what I am suggesting is you know it is time for us to look with both eyes in proper focus. I support Senate Bill No. 503 because it is a step to wave a flag for us to be more acutely aware of what we are buying. At the same time, I do not think we can take it far to a policy.

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—44

|            |           |           |           |
|------------|-----------|-----------|-----------|
| Andrezeski | Hopper    | Messinger | Shaffer   |
| Bell       | Howard    | Moore     | Singel    |
| Bodack     | Jubelirer | Murray    | Smith     |
| Corman     | Kelley    | O'Connell | Snyder    |
| Early      | Lewis     | O'Pake    | Stapleton |
| Fisher     | Lincoln   | Pecora    | Stauffer  |
| Gekas      | Lloyd     | Reibman   | Stout     |
| Greenleaf  | Loeper    | Rhoades   | Street    |
| Hager      | Lynch     | Romanelli | Tilghman  |
| Helfrick   | Manbeck   | Ross      | Wilt      |
| Holl       | Mellow    | Scanlon   | Zemprelli |

NAYS—3

Hess                      Kusse                      Price

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  
ON FINAL PASSAGE

SB 512 (Pr. No. 690) — Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

Senator JUBELIRER. Mr. President, I request that Senate Bill No. 512 go over in its order.

The PRESIDENT. Senate Bill No. 512 will go over in its order on final passage.

BILLS OVER IN ORDER

SB 515 and HB 523 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 568 (Pr. No. 580) — Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEAS—47

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

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.

RECESS

Senator JUBELIRER. Mr. President, at this time I request a very brief recess of the Senate for the purposes of a meeting of the Committee on Transportation in the Rules Committee

room at the rear of the Senate Chamber to consider one particular bill. Those Members of the Committee on Rules and Executive Nominations immediately go to that room.

Mr. President, it is getting late. The Members of the Committee on Transportation please go to the Rules Committee room.

The PRESIDENT. For the purpose of a meeting of the Committee on Transportation, the Chair declares the Senate in recess.

### AFTER RECESS

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

## CONSIDERATION OF CALENDAR RESUMED

### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 12, 161, 277, HB 326, SB 330, HB 376 and SB 433** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

#### BILL ON SECOND CONSIDERATION

**SB 484 (Pr. No. 491)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

#### BILL ON SECOND CONSIDERATION AMENDED

**SB 521 (Pr. No. 532)** — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MESSINGER offered the following amendments:

Amend Title, page 1, line 2, by inserting after "Pennsylvania," providing for financial disclosure outside the purview of judicial administration and

Amend Sec. 1, page 1, line 6, by striking out "amendment" and inserting: amendments

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting: are

Amend Sec. 1, page 1, line 9, by inserting after "That": subsection (c) of section 10 and

Amend Sec. 1, page 1, by inserting between lines 9 and 10:

§ 10. Judicial administration.

\*\*\*

(c) The Supreme Court shall have the power to prescribe general rules governing practice, procedure and the conduct of all courts, justices of the peace and all officers serving process or enforcing orders, judgments or decrees of any court or justice of the peace, including the power to provide for assignment and reassignment of classes of actions or classes of appeals among the several courts as the needs of justice shall require, and for admission to the bar and to practice law, and the administration of all courts and supervision of all officers of the Judicial Branch, if such rules are consistent with this Constitution and neither abridge, enlarge nor modify the substantive rights of any litigant, nor affect the right of the General Assembly to determine the jurisdiction of any court or justice of the peace, nor suspend nor alter any statute of limitation or repose. All laws shall be suspended to the extent that they are inconsistent with rules prescribed under these provisions except that no law requiring

financial disclosure by public employees and public officials; whether elected or appointed, or by candidates for public office shall be suspended as a result of this section.

\*\*\*

On the question,

Will the Senate agree to the amendments?

They were agreed to.

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

#### BILL OVER IN ORDER

**SB 601** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

## UNFINISHED BUSINESS REPORTS FROM COMMITTEES

Senator MANBECK, from the Committee on Transportation, reported, as committed, **HB 158**.

Senator TILGHMAN, from the Committee on Appropriations, reported, as committed, **SB589** and **681**.

Senator HELFRICK, from the Committee on Agriculture and Rural Affairs, reported, as committed, **SB 633**.

### BILLS REREFERRED

Senator SNYDER, from the Committee on Public Health and Welfare, returned to the Senate, as committed, **SB 88**, which was rereferred to the Committee on Banking and Insurance.

He also, from the Committee on Public Health and Welfare, returned to the Senate, as committed, **SB 602**, which was rereferred to the Committee on Consumer Protection and Professional Licensure.

## RESOLUTIONS REPORTED FROM COMMITTEE

Senator STAUFFER, from the Committee on Rules and Executive Nominations, reported without amendment, the following Senate Resolutions, numbered and entitled:

**Serial No. 33** — Declaring week of June 7th to June 13th, 1981 as "Pennsylvania Safe Boating Week."

**Serial No. 38** — Senate of Pennsylvania designates week of May 1, 1981 in commemoration of the holocaust.

He also, from the Committee on Rules and Executive Nominations, reported without amendment, the following Senate Concurrent Resolution, numbered and entitled:

**Serial No. 215** — Urging President, Congress, Federal Railway Administration and U. S. Department of Transportation to permit Conrail to make transition from Federal support to a nonsubsidized, efficient and competitive entity.

He also, from the Committee on Rules and Executive Nominations, reported, with amendment, the following Senate Resolution, numbered and entitled:

**Serial No. 37** — Special Senate task force investigate profit or nonprofit corporations or any other entity providing retirement homes and retirement communities.

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Robert Collett Soper by Senator Bell.

Congratulations of the Senate were extended to Margo Lovelace by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. John Shilling by Senator Corman.

Congratulations of the Senate were extended to Method Kristoff by Senator Gekas.

Congratulations of the Senate were extended to Dr. Thomas J. Natoli by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Roy H. McElwain, Mr. and Mrs. William E. Williams, Mr. and Mrs. Amerigo DeDea, Mr. and Mrs. E. H. Dixon, Mr. and Mrs. Harry Leonard, Mr. and Mrs. James A. Taylor, Mr. and Mrs. James B. McClain, Mr. and Mrs. Clarence F. Fisher, Mr. and Mrs. Joseph Bates, Mr. and Mrs. Max Aigner, Mr. and Mrs. James W. Purcell, Mr. and Mrs. John Pannebaker, Mr. and Mrs. Milt Neely, Mr. and Mrs. Augustus Wertz, Mr. and Mrs. Donald D. Metz, The Altoona High School Girls Basketball Team and to Mr. and Mrs. F. R. Campbell by Senator Jubelirer.

Congratulations of the Senate were extended to Mrs. Georgia Vinton Grosch by Senator Kusse.

Congratulations of the Senate were extended to Mr. and Mrs. Marshall Cherrie and to Dr. Peter A. LeDonne by Senator Loeper.

Congratulations of the Senate were extended to Val E. Miglioretti by Senator Pecora.

Congratulations of the Senate were extended to the West Oak Lane Concerned Citizens of Philadelphia by Senator Price.

Congratulations of the Senate were extended to Mrs. Clara Neal, Mrs. Nora Mauk, Mr. and Mrs. Oscar Vanderpool, Mr. and Mrs. George Anderchin, Mr. and Mrs. Roy Keith, Mr. and Mrs. Sam B. Slagle, Mr. and Mrs. John V. Beatty and to Mr. and Mrs. Owen K. Boyer by Senator Stapleton.

Congratulations of the Senate were extended to the Valley Forge Colonials Junior "C" Ice Hockey Team by Senator Stauffer.

Congratulations of the Senate were extended to Dr. and Mrs. W. B. Clendenning and to Mr. and Mrs. Charles Wood by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Minor Shaw by Senator O'Connell.

Congratulations of the Senate were extended to Walter G. Scheipe and to James Gano by Senator O'Pake.

### BILLS ON FIRST CONSIDERATION

Senator STAUFFER. 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 589, 633, 681 and HB 158.**

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

### PETITIONS AND REMONSTRANCES

Senator SINGEL. Mr. President, today a forty-one year old man lies comatose in a Michigan hospital. Another man in Texas is paralyzed suffering from possible brain damage. Both are victims of injuries sustained in so-called "toughman" contests.

Mr. President, just a month ago a young unemployed construction worker and ex-marine from my own district died of a brain hemorrhage caused by injuries sustained during the First Annual Central Pennsylvania Tough Man Contest held in Johnstown. With no boxing experience and described by his family as "desperate for money," twenty-three year old Ronald Miller entered a boxing ring permeated by an "anything goes" mentality, in the hopes of winning the \$1,000 cash prize and a shot at the top national prize of \$50,000. He lost his gamble and paid dearly for it.

Ron Miller fell victim too, not just to the fatal tragic injuries he suffered, but also to the frustrations of our current economically depressed times.

Mr. President, there is a noticeable pattern to the participants of such contests, many are unemployed down on their luck, and they are easy prey for contest promoters dangling easy money before them.

As a Johnstown sportswriter pointed out just days before the fatal incident, "The Toughman Contest offers a chance, however remote, for a man to turn his life around...It is a dream that is especially attractive in an area of high unemployment such as Johnstown."

But it is a dream that can become a nightmare for participants and their families in literally minutes.

Mr. President, today I have introduced legislation that would outlaw contests that involve dangerous physical contact between two or more people who have had no previous training in boxing, wrestling or the martial arts. I am asking, even more, Mr. President, I am urging prompt consideration and full support for this measure.

Just last week a thirty-five year old unemployed Iowa man underwent emergency neurosurgery after being knocked out in his first round of a toughman boxing contest. Though he has made some improvement, he is still listed in serious condition.

It is too late for Ronald Miller, but it is my understanding that another toughman event is planned for the Spectrum in Philadelphia on May 22, 1981. This legislation must not come too late to stop similar tragedies. A handbill being distributed by the family of Ronald Miller states: "If you buy a ticket you share the guilt."

Mr. President, we, too, will share that guilt if we fail to act now.

**HOUSE MESSAGES****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.

**HOUSE CONCURRENT RESOLUTION  
REFERRED TO COMMITTEE**

The Clerk of the House of Representatives being introduced, presented for concurrence House Concurrent Resolution No. 58, which was referred to the Committee on Rules and Executive Nominations.

**ANNOUNCEMENTS BY THE SECRETARY**

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

## SENATE OF PENNSYLVANIA

## COMMITTEE MEETINGS

TUESDAY, APRIL 28, 1981

- |            |  |   |
|------------|--|---|
| 10:00 A.M. | STATE GOVERNMENT (to consider Senate Bills No. 1, 541, 618, 622 and 671)               | Room 459,<br>4th Floor<br>Conference Rm.,<br>North Wing |
| 10:30 A.M. | LEGISLATIVE REAPPORTMENT COMMISSION  | Senate Majority<br>Caucus Room                          |
| 11:00 A.M. | BANKING AND INSURANCE (to consider Senate Bills No. 306, 389, 608; House Bill No. 210) | Room 460,<br>4th Floor<br>Conference Rm.,<br>North Wing |

THURSDAY, APRIL 30, 1981

- |           |  |                               |
|-----------|--|-------------------------------|
| 9:30 A.M. | Senate JUDICIARY and House Judiciary Committees (Joint Public Hearing for the purpose of receiving the 1981 Annual Report of the Pennsylvania Crime Commission on the status of organized crime in the Commonwealth) | House Majority<br>Caucus Room |
|-----------|--|-------------------------------|

MONDAY, MAY 4, 1981

- |           |   |   |
|-----------|---|---|
| 1:00 P.M. | CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 116, 141, 170, 403, 441 and 600) | Room 460,<br>4th Floor<br>Conference Rm.,<br>North Wing |
|-----------|---|---|

TUESDAY, MAY 5, 1981

- |            |  |                                |
|------------|--|--------------------------------|
| 10:00 A.M. | Senate LABOR AND INDUSTRY and the House Committee on Labor | Senate Majority<br>Caucus Room |
|------------|--|--------------------------------|

Relations (Joint committee meeting for the review of pending Congressional Unemployment Compensation Legislation with Mr. Michael Lockerby, office of U. S. Senator H. John Heinz)

- |            |  |   |
|------------|--|---|
| 10:30 A.M. | PUBLIC HEALTH AND WELFARE (agenda will be announced at a later date)               | Room 459,<br>4th Floor<br>Conference Rm.<br>North Wing  |
| 11:00 A.M. | JUDICIARY (to consider Senate Bills No. 171, 139, 303, 304, 434, 496, 529 and 532) | Room 461,<br>4th Floor<br>Conference Rm.,<br>North Wing |

WEDNESDAY, May 6, 1981

- |            |   |   |
|------------|---|---|
| 11:00 A.M. | MILITARY AND VETERANS AFFAIRS (to consider Senate Bills No. 674, 675; Senate Resolution No. 214 and House Bill No. 137) | Room 460,<br>4th Floor<br>Conference Rm.,<br>North Wing |
|------------|---|---|

THURSDAY, JUNE 4, 1981

- |           |   |   |
|-----------|---|---|
| 9:30 A.M. | JUDICIARY (Public Hearing on Senate Bill No. 194) | Room 461,<br>4th Floor<br>Conference Rm.,<br>North Wing |
|-----------|---|---|

**ADJOURNMENT**

Senator STAUFFER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 28, 1981, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 7:50 p.m., Eastern Daylight Saving Time.