

Legislative Journal

TUESDAY, JUNE 24, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 37

SENATE

TUESDAY, June 24, 1975.

The Senate met at 11:00 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, The Reverend WILLIAM CARLOUGH, Presbyterian Minister in the Borough of Riverside and also a member of the faculty of Bloomsburg State College, offered the following prayer:

Let us pray:

Eternal God, You are incomprehensible in Your creation. You live apart from us in a light which no one can penetrate, and if we recognize You in Your providence, our knowledge is feeble and veils Your splendor. But You are still more incomprehensible in Your grace and mercy. Visit us again with Your infinite love.

We confess in humility and penitence that we have often neglected and forgotten You. We may say with the Psalmist that we know our transgressions and our sins are ever before us. Against You, You only, have we sinned and done that which is evil in Thy sight. And as we feel struck down by a vision of what Thy judgment against us should be, lift us by a vision of Thy grace and love.

We thank You that You have brought us from various places and backgrounds in the Commonwealth to consider the problems and legislate for the needs of our constituents. Help us to be fair in our judgments and wise in our pronouncements.

Give us the calmness of spirit to accept those things which cannot be changed. Give us the courage to change what ought to be changed. Help us to discern the one from the other. May the spirit of questioning and intellectual veracity take precedence over the blind hypocrisy which would allow us to let go unchallenged those things which need to be challenged.

Hear our prayer as we come before Thee this day and give us the wisdom of Thy counsel. Amen.

JOURNAL APPROVED

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

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

REPORTS FROM COMMITTEES

Senator MURPHY, from the Committee on Local Government, rereported, as amended, **SB 399**; reported, as committed, **SB 793, 794, 795, 796, 834, 835, HB 723 and 813**; as amended, **SB 285, HB 408 and 477**.

Senator COPPERSMITH, from the Committee on Public Health and Welfare, reported, as amended, **SB 10**.

Senator REIBMAN, from the Committee on Education, reported, as committed, **SB 434**; as amended, **SB 592**.

BILLS INTRODUCED AND REFERRED

Senators FLEMING, MURRAY, FRAME, WOOD and BELL presented to the Chair **SB 886**, entitled:

A Joint Resolution proposing amendments to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania authorizing legislation relating to injuries and death caused by medical malpractice.

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

Senators DOUGHERTY and COPPERSMITH presented to the Chair **SB 887**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58, No. 32), entitled "The Vehicle Code," providing for identification cards for nondrivers.

Which was committed to the Committee on Transportation.

Senators LYNCH, KELLEY, ROSS and ZEMPRELLI presented to the Chair **SB 888**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), entitled "State Highway Law," further providing for vegetation along highways and authorizing certain trash receptacles.

Which was committed to the Committee on Transportation.

They also presented to the Chair **SB 889**, entitled:

An Act amending the act of July 28, 1966 (3rd Sp. Sess., P. L. 91, No. 4), entitled "An act restricting the establishment and maintenance of junkyards along highways; . . .," further providing for junkyard license fees, screening, removal of junk and junkyards and changing the penalty for violations of the act.

Which was committed to the Committee on Transportation.

Senators FRAME, KELLEY, ROSS, EWING and STAPLETON presented to the Chair **SB 890**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," providing that the county commissioners shall have the sole responsibility for collective bargaining negotiations for all employees paid from the county treasury.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 891**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing that the county commissioners shall have the sole responsibility for collective bargaining negotiations for all employees paid from the county treasury.

Which was committed to the Committee on Local Government.

RECESS

Senator NOLAN. Mr. President, I request a recess of the Senate until 2:00 p.m., for the purpose of holding a Democratic caucus and a Republican caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 2:00 p.m., Eastern Daylight Saving Time.

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1336 (Pr. No. 1793)—Considered the third time,

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

HILL AMENDMENTS

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

- Amend Sec. 2, page 57, line 4, by striking out "2,202,000" and inserting: 2,518,640
- Amend Sec. 2, page 57, line 6, by striking out "868,000" and inserting: 1,626,631

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

Senator HILL. Mr. President, these amendments have to do with the appropriation for the Supreme Court and also the Supreme Court Administrator's office.

The first part of these amendments restores a cut from the request of \$316,640. The second part of the amendments restores \$58,000 to the Court Administrator which he had requested and also adds \$700,000 to the Court Administrator's office. The Court Administrator asked me to put in these amendments. In the second part having to do with his office, which adds \$700,000, of that sum, \$100,000 is made necessary by the fact that the Attorney General no longer defends judges when they have cases brought against them throughout the Commonwealth. It is estimated that this would be the cost of that which will have to be undertaken by the Court Administrator's office and also another \$100,000 because the Court Administrator's office is now required to have a retirement service unit because the State Re-

tirement Board will no longer service these particular matters.

Another \$100,000 is requested due to increased office expense for their Statewide program, and an additional \$200,000 is to take over the payment of the individual Common Pleas Court Administrators in these sixty-seven counties.

Mr. President, to repeat it again: \$316,000 for the Supreme Court, \$58,000 for the Administrator's office and an additional \$700,000 for the Administrator's office.

Senator NOLAN. Mr. President, I would like to point out that all government offices have been cut in the same amount. This is the first attempt to restore to those offices the cuts which were made by the Committee on Appropriations.

In the past, to my knowledge, I know of no judges who were sued. I still cannot understand why they need an administrator for their retirement fund.

Mr. President, I would ask those on this side of the aisle and also on the other side of the aisle to oppose the amendments.

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

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

YEAS—3

Bell, Hill, Hobbs,

NAYS—45

Ammerman,	Hankins,	McKinney,	Reibman,
Andrews,	Hess,	Mellow,	Ross,
Cianfrani,	Holl,	Messinger,	Scanlon,
Coppersmith,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murphy,	Snyder,
Duffield,	Kelley,	Murray,	Stapleton,
Dwyer,	Kury,	Myers,	Stauffer,
Early,	Lentz,	Nolan,	Sweeney,
Ewing,	Lewis,	Noszka,	Tilghman,
Fleming,	Lynch,	O'Pake,	Wood,
Frame,	Manbeck,	Orlando,	Zemprelli,
Hager,			

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

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

HILL AMENDMENT

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

- Amend Sec. 2, page 25, by inserting between lines 16 and 17:
Office of the Special Prosecutor in Philadelphia 350,000

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

Senator HILL. Mr. President, the purpose of this amendment is to add an appropriation of \$350,000 to the Department of Justice in order to fund the office of the Special Prosecutor in Philadelphia. I touched on this yesterday when we had another bill affecting this subject matter. Again I would like to explain to the Members just what this Special Prosecutor's office is, where it came from and what it is doing.

It was established about one year ago, in 1974, because the Crime Commission made a recommendation after a

lengthy investigation of police corruption in Philadelphia. The recommendation was that a Special Prosecutor's office be established in Philadelphia as had been done some years ago in New York City with the Knapp Commission.

You may remember reading about the Knapp Commission which rose out of the Serpico matter. Some of you may have seen the movie on Serpico or read about the police officer in New York City which prompted this very extensive investigation by the Knapp Commission.

In Philadelphia the Crime Commission felt that an office of a Special Prosecutor would be the most effective way of getting after this because it would be an independent office. It would not be involved politically or anything of that kind. Thereafter the Special Prosecutor was appointed. His name is Walter Phillips and he has been in action since that time.

Somewhat later a new District Attorney was elected in Philadelphia and he declined to go ahead with an existing Special Grand Jury which had been established by his predecessor. He declined to staff this Grand Jury and, therefore, the judge who had impanelled that Grand Jury—his name was Judge Takiff—requested, I believe, that the Special Prosecutor do this and as a result, the Attorney General assigned Phillips a staff to take over the running of this Special Grand Jury, in addition to the police corruption investigation.

The basic purpose of this amendment has to do with the Special Grand Jury, the continuation of that Grand Jury in operation and being staffed by the office of the Special Prosecutor. I would like to point out that in the time the Special Prosecutor has been in office, he has been somewhat handicapped in his duties because the matter went up to the Supreme Court and there was a delay. It again went up to the Commonwealth Court and there was another delay. Despite these delays of about three months total, they have indicted forty-two individuals and there have been forty-five indictments, which include bribery, extortion, burglary, larceny, forgery, embezzlement, perjury, subornation of perjury, tampering with witnesses, obstruction of the administration of law, State income tax violations, violations of State campaign financing and conspiracy. The defendants in these cases have included the managing director of the City, the treasurer of the Democratic City Committee, former assistant to the treasurer of the Democratic City Committee, president of a major metals company; president and vice president of a milk company, the former Republican ward leader, regional superintendent of the Pennsylvania Department of Transportation, six police officers and a criminal attorney. So it has not been confined to any one faction down there. It has been a widespread investigation which has covered all parties and all factions in each party.

Mr. President, I think it is important that this be continued. It has been handicapped again by legislation up here. There have been various attempts offered in the Legislature to hinder it. We had an anti-eavesdropping bill which did not help this investigation at all.

I would like to point out that the man who is running this, Mr. Phillips, has a good staff consisting of thirteen attorneys and eleven investigators. This compares favorably to what they have accomplished with the staff in New York, which consists of thirty-five attorneys and one hundred agents. Yet, in a short period of time, they have accomplished quite a bit. I think it is very important that this investigation be funded.

I would like to point out that the only Department in this budget which has been itemized so as to exclude this special office of the prosecutor is the Department of Justice. In no other Department, as I look through this budget, do I see an itemization of the various things in the General Fund that a Department can spend.

So I have included an additional itemized amount, \$350,000, which, as I understand, was the cost of operating this office last year, in this budget. This money will trigger certain Federal funds to bring the total amount to this office to about \$1 million.

Mr. President, I ask that the Senate support this amendment. I think it is very important to the City of Philadelphia and the citizens in that community, and also throughout the Commonwealth, that this investigation continue and that the kind of things which have been brought out by the office continue to be disclosed. Apparently it is the only agency in the City which is getting into these matters. If we do not have this, I do not think we are going to find out a lot of things which have been going on and I do not think we are going to be able to prosecute.

Senator NOLAN. Mr. President, I rise in opposition to this amendment. We had an experience in Allegheny County where the former district attorney failed to perform the duties that are being pointed out by the gentleman from Philadelphia, Senator Hill, as also having failed to be performed in Philadelphia. We had a Federal prosecutor, and I say a very good one, who has now been elevated to the national post of Assistant Attorney General, who carried on the investigation and prosecutions and was very successful.

Mr. President, as I stated before, this is an attempt to break through on the funding that has been provided in this budget, which is provided on an equal basis, with cuts provided on an equal basis to each and every department of State government. I never knew the name Mr. Phillips until we got into the hearings of the Committee on Appropriations, at which time Mr. Kane from the Department of Justice appeared before the Committee on Appropriations. The members present at the time were told point blank by Mr. Kane that he does have the money in his budget and he intends to continue to fund Mr. Phillips. So, again I say, the amendment being offered here has nothing to do with whether or not Mr. Phillips continues to operate and continues to investigate in the City of Philadelphia. We have been assured by Mr. Kane that he has the money to do this.

Therefore, Mr. President, I ask the Members to oppose the increase in the budget.

Senator FRAME. Mr. President, my colleagues and Members of the Senate on both sides of the aisle spent a great deal of time going over fifteen or twenty proposed amendments this afternoon in considerable detail, considering their impact upon State government and upon the fiscal problems of the Commonwealth and the responsibilities of State government. It was my understanding that we would be afforded the opportunity to discuss among ourselves, in advance of the Session, any and all proposed amendments to House Bill No. 1336, the General Appropriations bill.

Mr. President, since returning to the floor I have already been given three or four proposed amendments which, in all candor, I had not shared with my colleagues as I should have because I did not have them, I had not been shown them. I suspect there will be more coming

along in the course of the afternoon and evening and I do not want to ask our caucus chairman to call another caucus and further delay consideration. At the same time I am going to be very reluctant to support amendments that are coming into the picture at this late hour. This particular amendment was one which had not been given to us ahead of time and which my colleagues have not seen as of this hour and I have only seen within the last half hour or so, since returning to the floor.

Senator HILL. Mr. President, first of all the amendment is no secret. I was mentioning it around here quite a bit today. I am sure there are quite a few Members on the other side to whom I spoke directly, including the gentleman from Venango, Senator Frame, and I apologize for not getting it here earlier but I did have some trouble with the exact language to put in it. However, the gist of it, namely, that I was going to offer an amendment to fund the office of the special prosecutor, is pretty well known and I mentioned it to at least ten Senators on the Republican side.

Now, Mr. President, as far as I know—and I quizzed Mr. Kane very thoroughly on the telephone twice about this today—if they do not get this money, they are going to have great difficulty in funding the office of the special prosecutor. That is why I am attempting to put it in the budget.

Senator NOLAN. Mr. President, I would like to point out that in the Committee on Judiciary at the present is a bill introduced by the gentleman from Philadelphia, Senator Hill, Senate Bill No. 693, which provides for a special prosecutor in the entire State of Pennsylvania. I would suggest to the gentleman that the proper way to handle this would be by Senate Bill No. 693; that it be considered by the Committee on Judiciary, be reported out of that Committee with an appropriation of moneys necessary to operate it and let the Senate as a whole act on that bill.

Senator HILL. Mr. President, that is not a special prosecutor, that is a Statewide investigating grand jury, which we had not passed last year and, as a matter of fact, the Session before that too. This is the third year it has been in this particular Senate.

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

(During the calling of the roll, the following occurred:)
Senator EWING. 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—23

Ammerman,	Fleming,	Jubelirer,	Reibman,
Andrews,	Hager,	Kury,	Stauffer,
Bell,	Hess,	Lewis,	Sweeney,
Coppersmith,	Hill,	Manbeck,	Tiighman,
Dougherty,	Holl,	Myers,	Zemprelli,
Ewing,	Howard,	O'Pake,	

NAYS—26

Arlene,	Hobbs,	Moore,	Ross,
Cianfrani,	Kelley,	Murphy,	Scanlon,
Duffield,	Lentz,	Murray,	Smith,
Dwyer,	Lynch,	Nolan,	Snyder,
Early,	McKinney,	Noszka,	Stapleton,
Frame,	Mellow,	Orlando,	Wood,
Hankins,	Messinger,		

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

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

HANKINS-ARLENE AMENDMENT

Senators HANKINS and ARLENE, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 3, line 8 by striking out all of said line and inserting: 3,171,000

On the question,
Will the Senate agree to the Hankins-Arlene amendment?

Senator HANKINS. Mr. President, this amendment restores the Human Relations Commission allocation to the level set in the House of Representatives. It is a \$595,000 item. This was to save fifty positions in the Human Relations Commission, including twenty positions as investigators. If we were to slash the funds to the level of Printer's No. 1793, we would be, in effect, repealing the Pennsylvania Human Relations Act. I do not think anybody on this floor wants to do that.

Mr. President, I move for the passage of this amendment.

Senator NOLAN. Mr. President, I rise to oppose the amendment on the basis that I opposed the two by the gentleman from Philadelphia, Senator Hill. Again it is a cut that has been applied to every State Department and, at this time, I would ask that this also be opposed for the same reasons as the other two.

And the question recurring,
Will the Senate agree to the Hankins-Arlene amendment?

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

YEAS—15

Ammerman,	Fleming,	McKinney,	Sweeney,
Arlene,	Hankins,	O'Pake,	Tilghman,
Bell,	Hill,	Reibman,	Zemprelli,
Coppersmith,	Hobbs,	Ross,	

NAYS—34

Andrews,	Hess,	Manbeck,	Noszka,
Cianfrani,	Holl,	Mellow,	Orlando,
Dougherty,	Howard,	Messinger,	Scanlon,
Duffield,	Jubelirer,	Moore,	Smith,
Dwyer,	Kelley,	Murphy,	Snyder,
Early,	Kury,	Murray,	Stapleton,
Ewing,	Lentz,	Myers,	Stauffer,
Frame,	Lewis,	Nolan,	Wood,
Hager,	Lynch,		

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

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

EWING AMENDMENT

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

Amend Sec. 2, page 22, by inserting between lines 17 and 18:

For free fish license settlement as required by section 221.1, "The Fish Law of 1959," for the certified and audited

years 1968-1973, to be credited to the Fish Fund 301,583

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

Senator EWING. Mr. President, it is rather unusual for me to offer an amendment which would increase the sum total of the General Appropriations bill. However, this amendment would restore \$301,583 to the bill. This amount was amended into this bill in the House of Representatives with a bipartisan vote on the floor, which was 114 for and 74 against.

Mr. President, in 1967 the General Assembly passed Senate Bill No. 893, which became Act 323 of that year. When this was done, the General Assembly said to the Fish Commission, in effect, "You will issue free licenses to disabled veterans, to servicemen on active duty, when home on leave, and also to certain patients in our mental institutions."

The General Assembly said further that: "We will reimburse you each year for those amounts, following each year, upon audit and certification of the figures." The General Assembly has never fulfilled that obligation. So the total amount that I would restore to this bill is for the years 1968 through 1973 and the figures I have available have been certified and audited for those years. They are not yet available for 1974.

Mr. President, when this amendment was considered in the House, in a letter dated June 16, 1975, it was supported by the Pennsylvania Federation of Sportsmen's Clubs in a letter I have before me, signed by the secretary of that organization, John Laudadio.

Mr. President, I think this is an obligation which we have neglected since Act 323 was adopted in 1967. There have been attempts made in separate bills during the interim years to take care of this obligation, but those bills have never been passed.

Mr. President, I would ask all of my colleagues to respond to this obligation which we have to the Fish Commission because of the obligation the General Assembly accepted when they adopted this Act in 1967.

Senator NOLAN. Mr. President, I rise to oppose this amendment. I think it is well to point out that the moneys for the Fish Commission are those moneys that come into the Fish Commission by the payment of licenses and it is only the duties that we perform every year in the budget processes authorizing them to spend those moneys. This appropriation is an appropriation being requested from the general revenues coming in to the State.

I see nothing wrong with the Fish Commission having a hundred thousand, fifty thousand, twenty-five thousand extra pieces of paper printed per year to issue free to the patients in the mental hospitals, the disabled veterans who became disabled in the line of duty, or those soldiers on active duty serving their country at the present time. If the Fish Commission would request that the Members of this Senate authorize them to spend \$301,000 of their own money, I am sure we would go along with that. Again, it is an attempt to dip into the general funds, which are not available at this time, and I fail to see why they are not over here asking us to give them permission to use moneys of their own.

Mr. President, for that reason I would ask that this amendment be opposed.

Senator EWING. Mr. President, the gentleman is cor-

rect in that the money is coming out of the general fund. In previous years the only thing that has come out of that fund, I believe, is only \$1,000 for a certain membership, which has been paid annually. The appropriation has been made to the Fish Commission and they paid this membership.

However, Mr. President, I would point to the Act, signed by the Governor, being adopted by both the Senate and the House, in Section 221.1, which reads as follows:

"Appropriations to the Fish Fund . . ." as it was called in those days, "all fishing licenses issued without payment of the said license fee as provided in Sections 220 and 221 of this Act shall be recorded by the Department of Revenue and said Department annually shall certify to the General Assembly the amount of revenue due from such license fees and the General Assembly shall cause said sum of money annually to be appropriated and credited to the Fish Fund of the Pennsylvania Fish Commission or its assigns or successors."

That is the language of the law, Mr. President, so we have a legal obligation to reimburse them for these free licenses in accordance with this Act. The figures have been certified for each of the six years mentioned and no action has been taken by the General Assembly. We have never reimbursed them and that is what this amendment is all about.

Senator NOLAN. Mr. President, I fail to understand why the request is being made this year. It is my understanding that there has never been a certification made to the Department of the Budget. Last year, when we had a surplus and saw fit to cut the State income tax from 2.3 to 2 per cent, there was no such request in the budget at that time. All of a sudden this year, when we are trying to avoid a tax increase and coming out with a budget within the revenues of this State, we are being requested, at this time, to pay for these free license fees.

Again, Mr. President, I ask all Members to oppose this amendment.

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

(During the calling of the roll, the following occurred:)
Senator STAUFFER. Mr. President, I would like to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.
Senator MELLOW. Mr. President, please record me as voting "no."

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—24

Andrews, Bell, Dougherty, Dwyer, Ewing, Fleming,	Frame, Hager, Hess, Hobbs, Holl, Howard,	Jubelirer, Kury, Lentz, Manbeck, Moore, Myers,	Snyder, Stapleton, Stauffer, Sweeney, Tilghman, Wood,
---	---	---	--

NAYS—25

Ammerman, Arlene, Cianfrani, Coppersmith, Duffield, Early, Hankins,	Hill, Kelley, Lewis, Lynch, McKinney, Mellow,	Messinger, Murphy, Murray, Nolan, Noszka, O'Pake,	Orlando, Reibman, Ross, Scanlon, Smith, Zemprell,
---	--	--	--

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

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

SNYDER AMENDMENTS

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

Amend Sec. 2, page 32, line 2 by striking out "..... 902,366,000" and inserting: as follows:

Amend Sec. 2, page 32, by inserting between lines 2 and 3:

Cash Grants	470,893,184
Medical Assistance	268,416,990
County Administration	74,784,000
Supplemental Assistance to the Aged, Blind and Disabled	58,528,000

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

Senator SNYDER. Mr. President, for the past seven or eight years the most vexing problem in State government has been welfare, and we are frequently frustrated by the criticism we hear of the system because of its looseness, because of its reputed fraud and because many of us feel, in good conscience, that the people who are justly on welfare do not get as much as they should. Rarely do we have a chance to do something about it, but I think we have such an opportunity in the amendments I have just offered.

Mr. President, what the amendments do, among other things, is give a seven per cent increase to those on public assistance in Pennsylvania. This is the percentage which the House decided upon, but we have computed the amount needed here in a different fashion. The House computed the amount needed on the peak month of March, 1975. As many of you will recall, public assistance rose month by month to March. In April and May it has declined and the most recent figure in June shows a slight further decline. What we have done in the amendments is to compute the amount needed on the basis of May, our most recent full month, with the seven per cent increase both in the cash assistance grants, and as a rule of thumb, in the medical assistance. Now these amendments, therefore, computed by that means, reduce by \$29.7 million the amount needed in the public assistance phase of the budget bill. So the one startling thing which they do, and by which you are improving the budget, is to reduce it by \$29.7 million dollars.

Mr. President, the other thing which they do is to break up the lump sum, which you would find at the top of page 32, where there is provided the total of \$902 million plus. These amendments break it up into the four line items: Cash grants, medical assistance, county administration and the supplemental assistance to the aged, blind and disabled. The virtue of this is that it is better government; the more we line item, the more we, as a Legislature, have kept control and the less loose spending we are encouraging on the part of the Department of Public Welfare. This was the policy in last year's budget bill, you will recall. We are not doing anything new here; we are only continuing what then seemed to be a very good system and indeed is.

Now, Mr. President, let me anticipate what you may be saying to yourselves with respect to the amount of these grants. You are going to say, "Well, but welfare will not

remain static; it may go up or it may go down, and how do I know, standing here, that an amount which we provide on the basis of May 1975 will still be the amount that we need for the twelve months ahead?" The answer obviously is that I do not, but let me project the likely event each way.

Let us suppose that the welfare rolls do indeed go up and, therefore, the amount that you would be voting by these amendments would be insufficient in some of the months ahead. There is the obvious device of the deficiency appropriation, which we have seen frequently and to our sorrow. But there is one other course the Department could follow, and this I think we should encourage them to do, and that is there are a great many ways in which the Department could, if it wanted, economize, and not to the detriment of any person genuinely needy.

Mr. President, the Department has not the best of records with respect to the number of ineligible who are on welfare nor the number who are receiving overpayments. In fact, if you compare Pennsylvania with the Federal standards to which we are being asked to conform, Pennsylvania now has, by the most recent Federal figures, eight per cent ineligible as compared with a desired three per cent standard, and it has eighteen per cent in overpayments as compared with a desired Federal standard of eight per cent. If we were now to induce the Department to tell its personnel to create an ambience in which they would try to get a tighter system, they could save millions of dollars. As a matter of fact, if they just reduced the ineligible from eight per cent down to three per cent, this, in itself, just on the raw figures, would represent a saving of between \$20 and \$25 million.

So, Mr. President, it should be our thesis, as a Legislature, that the Department, if it wants to save money and if it wants to do it without affecting the genuinely needy, could do it and the only way we will encourage them to do that is by making the appropriation such that they must try to live within it.

Mr. President, let me take the other side of the coin. Let us assume that the rolls continue to go down so the Department will have a surplus, under my figures in the amendments or under the figures as the bill now stands. If it continues to go down, it will certainly have around \$30 million surplus. May I ask you, as realistic Members of the Legislature, what you think will happen to that surplus if the Department finds that it is accumulating? My answer to you is that they will spend it. Some of you may remember the batch of contracts, more than a thousand, which we examined at the hearings of the Committee on Appropriations. While these contracts, or many of them, were for legitimate expenses, a great many of them were for items that could have been dispensed with and on which we have very poor proof of usefulness or need.

I need not tell you, as realistic people who have watched the Department of Public Welfare, that frequently we are not helping the people we think we are helping. When you appropriate funds for welfare you prefer to think, as I do, that we are helping children and families to a better life and that we are helping the handicapped and the stricken in one form or another. I think if you would examine the contracts into which the Department pours money when it has a surplus, or the spending of money for retreats, conferences, et cetera, et cetera, which

seems to be another hallmark of the Department of Public Welfare, you would find that you are really not helping the people in genuine need so much as you are helping, shall we say, social workers, and a great many people whose needs are certainly not acute.

Daniel Moynihan, in several of his speeches, has used a figure of speech which is rather earthy, but it certainly describes the situation. He says, in effect, that when you spend money on social services with the idea that you are helping the needy, you are really feeding the sparrows by feeding the horses. It is a rather rough way to put it, but in truth, I think we are helping the social hierarchy a great deal more than we are helping the genuine needy.

I could, if time allowed but I shall not, review the fact that there is currently a real public impetus towards tightening the system. I think the public would endorse any move we took in this regard. I have only to look at this morning's Harrisburg newspaper in which the Auditor General was again critical of the Department of Public Welfare, specifically the PAID prescriptions.

I have only to look at the current issue of Reader's Digest which just came out in which, I believe, there is an article on Food Stamps. The leading example comes from Pennsylvania, and further on in the article, there is another example drawn from Pennsylvania.

I have a clipping which just came through the channels here from a paper in eastern Pennsylvania, where a garment plant closed for lack of help and the owner blamed the combination of the unemployment compensation system and the welfare system for the lack of help.

The HEW, itself, has been critical recently and has said that there is \$1 billion wasted annually in the country as a whole in the system. We have the encouraging fact that Commissioner Carleson of the Federal office of public assistance has been cleaning up, state by state, and gave us a blueprint to do the same here.

I am aware that we will, perhaps, be told that this is not practical, that we should take a chance and that we should provide more than enough for the system, but I submit to you that you rarely have a chance to strike a blow for a better welfare system. We have had too rarely a chance to vote on legislation, much of which has been introduced here in the past four years but relatively little of which has come to the floor to vote upon.

I would say that we have in these amendments to the Appropriations bill an opportunity to cut to the point where it will provide every dollar needed, by present needs and caseload, which will give an incentive to the Department to live within its budget and which will give a seven per cent increase to those presently on public assistance.

Mr. President, I would urge my colleagues to vote for the amendments.

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

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

Senator SNYDER. I will, Mr. President.

Senator EARLY. Mr. President, I am certainly out of character when I stand here and defend the Department of Public Welfare because I am probably the individual who has been most critical of the Department of Public Welfare. However, I do believe that amendments such as those of the gentleman from Lancaster, Senator

Snyder, which arbitrarily cut from the Department with very little or no guidelines, are, perhaps, irrational at this particular time.

I assume the gentleman has read the Carleson report of two years ago, Mr. President?

Senator SNYDER. Mr. President, I read it when it came out. I could not recall from memory the details of it.

Senator EARLY. Basically, Mr. President, what the Carleson report did say was that the State of Pennsylvania is wasting approximately one-quarter of a million dollars a year in the welfare program. I assume this is the basis for the gentleman's amendments, to eliminate the waste in the State of Pennsylvania.

Senator SNYDER. No, Mr. President. If it were only one-quarter of a million dollars I would be happy. I did not base this on the Carleson report. I base this on the fact that the present figures from the Department, which we received from the statistician as recently as this morning, show that this is sufficient to provide the present level of welfare, with a seven per cent increase.

Senator EARLY. Mr. President, I heard that and I also heard the gentleman indicate that he is taking the month of May to establish his figures and not the months where there were heavy welfare loads.

Senator SNYDER. Mr. President, the month of May is still heavy, but it is lighter than April which, in turn, was lighter than March, which seemed to represent the peak.

Senator EARLY. Mr. President, if the gentleman will check the welfare rolls, he will find that months will vary. They will go up and down. I cannot see how the gentleman can arbitrarily take a particular month.

Let me get back to the first point the gentleman made and that was the cash grants. I assume when the gentleman is going to make a cut in cash grants, he is going to include the Aid for Dependent Children and also the General Assistance.

Senator SNYDER. That is correct, Mr. President.

Senator EARLY. Mr. President, can the gentleman tell us what percentage of the Aid to Dependent Children the State of Pennsylvania does pay?

Senator SNYDER. Mr. President, that is shared with the Federal government. However, the figures which concern us here are what we need and this is the basis on which we based our projection here, just as, indeed, the Governor's office did and the House of Representatives did.

Senator EARLY. Basically, Mr. President, the Commonwealth of Pennsylvania is paying approximately forty-five per cent to the Aid to Dependent Children. However, the Commonwealth of Pennsylvania is paying one hundred per cent to the General Assistance Program.

Now, if the gentleman would like to introduce a bill or prepare an amendment, I would be happy to join him as a cosponsor, to take off of the particular portion of the General Assistance. Unfortunately, his amendments take it across the board, with absolutely no guidelines.

I cannot see how the gentleman can arbitrarily say that we are going to eliminate this "X" number of dollars. As the gentleman knows, every year that we have been here, they have come back with a deficit appropriation. We will set that aside. But how can the gentleman arbitrarily just say, okay, we are now going to eliminate "X" number of dollars? If the gentleman will

check the figures, he will find that those who are in an Aid to Dependent Children category are individuals whose children have only one parent. The gentleman is going to arbitrarily eliminate "X" number of dollars with absolutely no guidelines. If an individual is so unfortunate as to have only one parent, then I think it is the wrong way to say we are now arbitrarily going to take from you "X" number of dollars, which I personally believe is not sufficient for them to live in this day and age. Granted they have a seven per cent increase, but that will only be determined after the year is finished to see what kind of a deficit appropriation we are going to have.

If the gentleman wanted to take his amendment and associate it with the General Assistance category—now, the General Assistance category is a category where we will find that eighty-one per cent of them are not even married—and if the gentleman wants to use his philosophy that we want to clean up the welfare rolls and save the people of Pennsylvania money, fine. I would say if the gentleman's amendments would be directed to the General Assistance category and General Assistance category only, then I would say his amendments would be those which I could support. However, I cannot see how the gentleman can stand up here and arbitrarily, with no guidelines—and, Mr. President, I assume the gentleman has no guidelines in doing this. Am I correct? The gentleman has no guidelines as to how he is going to do this, is that correct?

Senator SNYDER. Mr. President, I would like to answer that at length and not a "yes" or "no," so, let the gentleman proceed with his speech and then I will reply with mine.

Senator EARLY. Mr. President, I will proceed and then I will listen to his answer.

Mr. President, as I indicated, it is hard for me to defend the Department of Public Welfare because I do think there is abuse there. However, I think the gentleman is negligent in his amendments by not putting forth some effort into being specific. Unfortunately, I am going to have to vote against his amendments. It is probably the first time I have ever voted against amendments that would have cut the welfare budget or the welfare rolls in any way.

Senator SNYDER. Mr. President, every child has two parents except in the rare case of an immaculate conception, a situation which does not concern us here.

Now, the fact is that for every single-parent family, there are, in ninety-four per cent of the cases, a living second parent. The whole problem of the AFDC category, or, let us say the principal problem, is to find that second parent. In most of the cases it is the father who is missing.

I have developed a theory that there are four kinds of fathers in this situation: First of all, there is the father who is said to be absent from the mother and the children but who is really not, in fact, absent. It would be a great deal easier to check him out if the Department revised its rules of inquiry about the situation. At the present time, as the gentleman probably knows, the Department does not permit its caseworkers or technicians to inquire into a family situation without the permission of the person investigated. This just about stymies the investigation.

At any rate there are a great many fathers who say

they are absent or who are reported as absent but who are not, in fact, absent.

Next, you have the second situation where the father is truly absent. He left the family and went off and lived by himself. He lives sort of a bachelor's existence, sometimes in a skid row situation, sometimes wherever he can find a roof over his head. He lives on his wages and contributes nothing to the family. The mother at home then starts to draw a welfare check, and in an economic sense, they are both better off in most cases, because when they were both living on his salary, she did not have control of the check and, secondly, they did not have the welfare money. So you have this second situation.

You have a third situation where the father leaves but he goes to live with another woman. In this case he lives a very comfortable life because his wages plus her wages or welfare, as the case may be, gives them a double income. Back at his home you have his wife and his children drawing welfare.

Then you have the fourth situation where there is a father but he may not even know he is a father. The girl had the child, she did not pursue him as she might have years ago for support, but she went on welfare.

You have these four situations and you find a large percentage of each of them in the public assistance rolls if you go into it in depth. A study was just made by the School of Social Work in New York. Blanche Bernstein made the study—and I would recommend it to the gentleman from Allegheny, Senator Early—in which they made a spot check of whether welfare breaks up the family. They reached the conclusion of a definite certainty that in twenty-one per cent of the cases it did. I think that percentage is very low. If you did it in depth you would find a great deal more.

The great fault of this cash grant system that goes to AFDC families, in which, as the gentleman says, the Commonwealth of Pennsylvania pays forty-five per cent, the Federal government pays fifty-five per cent. With respect to the General Assistance, here again, we took, as did the House and the Governor's office, the total figures from the Department. I see no harm in that; that is as near as you can get to the actual facts. However, with respect to the General Assistance, the gentleman is quite correct. Pennsylvania pays one hundred per cent of the grant. In these cases there are a great many more single persons on the rolls for one reason or another, and this has been growing in recent months, I believe, even while the AFDC rolls were declining. In this category, the Department could save a great deal of money, if it really wished to, because it could cut out, for example, in its computation of supplementing work earnings, the \$50 and the work expenses which they now use in the computations.

The gentleman probably does not realize it, but in the last four years we have introduced bills to clean up just such areas. They would account for \$1 million, \$0.5 million, \$2 million. We could save that, but unfortunately—and the gentleman is a part of the party which I regret to say has not given us full play on this legislation—we do not have a chance to vote for it. If the gentleman says there are no guidelines in these amendments, I would be delighted to put in a great many of those provisions.

I think they would be ruled out of order and properly so, but I can tell the gentleman I can list a great number

of places where specific changes would save substantial amounts and lead us towards saving a great deal of money.

Because I think the gentleman may not be as close to this as he might think he is, let me give these several examples which I have had coming into my office in the past week. A manufacturer called. He said, "I have an employee who gets \$175 to \$180 per week for a four-day week. He claims all five dependents, his wife and four children on his income tax, but she claims welfare and gets it. They are getting it double that way. The public housing unit found that they are living together and that their total income did not qualify them for the rent. They tried to increase their rent, as they should have, but once Legal Aid got into the picture, this caused the local county office to back off from the situation." They could get the facts, but they say they cannot go after them because they do not have the permission of the recipient to investigate.

There are a number of examples just in the last week. I have had a plethora of them, and I do not want to burden the Senate with them. However, let me assure you that the figures I put in these amendments are based on the same theory that the bill had as it came from the House and as the Governor's office drafted it.

Senator EARLY. Mr. President, I will be very brief because we are belaboring the point and I do not think the Members want to hear either one of us expound on our knowledge of the Welfare Department, which is probably not sufficient in either case.

Mr. President, there is no doubt that what the gentleman is saying about the four classes of fathers is true. I agree with him 100 per cent. There is no doubt about the aid for dependent children and general assistance. It is a matter of finding them. I have no quarrel with the gentleman, whatsoever. If the gentleman would like, we can sit down and draft a piece of legislation which I am sure would bore the Senators to death, which, basically, we are doing right now. But my point is this: I agree with the gentleman 100 per cent in cutting the welfare rolls, cutting the budget of the Welfare Department; I am only saying it is totally irresponsible to do something as dramatic, as complicated, as he is trying to do by just coming up and saying, "We are going to 'X' out 'X' number of dollars," from the budget and stop there. Unfortunately, I do have to vote against the particular amendments even though I want to eliminate the welfare rolls. This is just the wrong way to try to come across this.

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

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

Senator SNYDER. I will, Mr. President.

Senator HOLL. Mr. President, in the gentleman's comments, he said that welfare is breaking up families. Did I understand that correctly?

Senator SNYDER. Mr. President, that is correct. I quoted the Blanche Bernstein report, which was just issued last week.

Senator HOLL. Mr. President, if I am in order, could the gentleman explain in more specifics or in more detail what he meant or how this report justified that conclusion.

Senator SNYDER. Mr. President, it happens when father and mother, sitting at the kitchen table, say,

"How does it happen that Joe and Madge down the street are living so much better than we are?" It develops then that Joe and Madge are getting welfare.

So mother says, "Well, you know Madge handles the money down there. She went and applied for welfare."

In the conversation that develops the husband says, "Well, maybe if I leave here you could draw welfare."

She says, "Yes, I believe I could." So he packs his suitcase and leaves.

The mother then goes to the welfare office and says, "Can I get welfare, my husband left me?"

They say, "Do you know where he is," and she says no.

So they say, "Well, give us the facts and you get on the rolls."

So father has, at least as an economic matter, departed from the household, lives where he chooses and he still lives on whatever income he makes, however he makes it. Incidentally, then his needs become slightly less and he may live a more pleasant life, from a loose standpoint, but he at least does not need to contribute to the family.

So, Mr. President, this is a clear economic incentive and is no secret to the people in the welfare hierarchy. This has happened for the last seven or eight years.

Senator HOLL. Mr. President, did I understand correctly that the gentleman used a percentage of twenty-five per cent of the welfare cases that can be attributed to the breakup in families caused by welfare? Is that what the report says?

Senator SNYDER. Mr. President, this is the Bernstein figure. She said twenty-one per cent can clearly be shown, on the basis of her spot check, as having inspired family breakups by reason of welfare.

Senator HOLL. Mr. President, how does the gentleman relate that to the amendments he has offered?

Senator SNYDER. Mr. President, I do not, except in general support of the concept that we are supporting a lot of people who should be supported by their own fathers and their own families. I do not relate that twenty-one per cent to this. I arrive at my figures here by the Federal comparison.

The PRESIDENT. The two of you just convinced me that might have been a trifle out of order but we will be patient. It would be important to try to stay exclusively on the amendments but if the discussion is beneficial I will permit it.

And the question recurring,

Will the Senate agree to the Snyder amendments?

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

YEAS—23

Andrews,	Frame,	Jubelirer,	Snyder,
Bell,	Hager,	Kelley,	Stauffer,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Hobbs,	Manbeck,	Tilghman,
Ewing,	Holl,	Moore,	Wood,
Fleming,	Howard,	Myers,	

NAYS—25

Ammerman,	Kury,	Murphy,	Reibman,
Cianfrani,	Lewis,	Murray,	Ross,
Coppersmith,	Lynch,	Nolan,	Scanlon,
Duffield,	McKinney,	Noszka,	Smith,
Early,	Mellow,	O'Pake,	Stapleton,
Hankins,	Messinger,	Orlando,	Zemprelli,
Hill,			

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

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

SNYDER AMENDMENT

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

Amend Sec. 2, page 32, line 2 by striking out "902,366,000" and inserting: 872,622,174

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

Senator SNYDER. Mr. President, this amendment would simply reduce the lump sum appropriation by \$29.7 million. It would not line item the items as the other amendment did. It is merely an amendment which would endeavor to save that amount of money.

Senator NOLAN. Mr. President, I would like to point out that we did the same with the Public Health and Welfare, General Government. We held it at the current level of spending.

I would also like to point out that the House of Representatives cut \$77 million out of the recommended budget for public welfare and public assistance.

I would also like to point out that just recently there was a Federal Court ruling holding that any unemployed worker drawing unemployment benefits, that could draw more money under public assistance, could not be denied the right of public assistance. With the economy in its present state, and with the recent rulings of the Court, I am very fearful of another \$29 million cut in the appropriation to Public Health and Welfare and I ask that we oppose this amendment.

Senator SNYDER. Mr. President, not to prolong it but as I said in arguing the prior amendments, this is based on the current spending and I do not think there could be any better standard than that at the moment. As I said before, this does not cut anybody; this adds seven per cent to the individual grant. I do not have here the figure that we appropriated last year, but this overall appropriation is still substantially over what we appropriated a year ago.

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

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

YEAS—20

Andrews, Dougherty, Dwyer, Ewing, Fleming,	Frame, Hager, Hess, Hobbs, Holl,	Howard, Jubelirer, Lentz, Manbeck, Moore,	Myers, Snyder, Stauffer, Tiighman, Wood,
--	--	---	--

NAYS—29

Ammerman, Arlene, Bell, Cianfrani, Coppersmith, Duffield, Early, Hankins,	Hill, Kelley, Kury, Lewis, Lynch, McKinney, Mellow,	Messinger, Murphy, Murray, Nolan, Noszka, O'Pake, Orlando,	Reibman, Ross, Scanlon, Smith, Stapleton, Sweeney, Zemprelli,
--	---	--	---

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

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

SNYDER AMENDMENT

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

Amend Sec. 2, page 32, by inserting between lines 2 and 3:
to be allocated as follows:

Cash Grants	\$492,317,000
Medical Assistance	276,737,000
County Administration	74,784,000
Supplemental Assistance to the Aged, Blind and Disabled	58,528,000

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

Senator SNYDER. Mr. President, this does not change the lump sum amount in the budget for public assistance. What it does is to line item the four items that are components of the total figure. It is simply a good government bill. I believe we should specify what we want the money spent for.

Senator NOLAN. Mr. President, as I looked at the first amendments offered by the gentleman from Lancaster, Senator Snyder, I found it did two things. It line-itemed the same items we have in this amendment and it cut \$27 million out of the budget.

The way I look at it, the first amendments offered have been split into two separate amendments, and we are now being asked to line-item that which we have already defeated in the first amendments. I would ask the gentleman if he would accept the roll call on the first amendments?

Senator SNYDER. Mr. President, I have no objection to the informality if the Chair wants to ask if anybody has changed their vote. However, the issue is different. On the first amendments I offered, some Members may have not wanted to cut the amount for welfare, but might have preferred the line item. In this one, they would be voting only on the matter of line iteming the public assistance.

Senator NOLAN. Mr. President, my request is would not the gentleman accept the first vote that was taken, with the addition of Senator Arlene, who is now present on the Floor, and has voted "no."

Senator SNYDER. Mr. President, I will accept it if the Chair informally asks if anybody has changed their mind on it.

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

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

YEAS—23

Andrews, Bell, Dougherty, Dwyer, Ewing, Fleming,	Frame, Hager, Hess, Hobbs, Holl, Howard,	Jubelirer, Kelley, Lentz, Manbeck, Moore, Myers,	Snyder, Stauffer, Sweeney, Tiighman, Wood,
---	---	---	--

NAYS—26

Ammerman, Arlene, Cianfrani, Coppersmith, Duffield, Early, Hankins,	Hill, Kury, Lewis, Lynch, McKinney, Mellow, Messinger,	Murphy, Murray, Nolan, Noszka, O'Pake, Orlando,	Reibman, Ross, Scanlon, Smith, Stapleton, Zemprelli,
---	--	--	---

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

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

HAGER AMENDMENT

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

Amend Sec. 2, page 25, by inserting between lines 29 and 30:
For investigation of the State Government ..\$44,000

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

Senator HAGER. Mr. President, as the Clerk has read, this is an attempt to replace in the budget, for the Department of Justice, \$344,000 more than is there now, which was requested by the Governor and then removed from the budget by the House of Representatives. Actually, it was money removed from the line item for the Crime Commission.

I am suggesting, however, that the money be placed at the disposal of the Department of Justice for purposes of carrying out the functions of the Crime Commission or, more properly, carrying out the functions which should be that of the Commonwealth.

I offer this amendment to reverse a trend, because in this budget we have removed funding for the Special Prosecutor, even though his record has been pretty good for convictions. We have cut the Crime Commission, or the House of Representatives version has cut the Crime Commission to the bone, to the point where it will be unable to do the job of investigating crime in the Commonwealth.

We are faced with the fact that over the last couple of years we have had very successful prosecutions for leasing and insurance, improper practices in the Department of Property and Supplies, and we have heard of an additional story of a campaign irregularity of \$139,000 loan made by a company which presently has the advertising contract for the State lottery.

We have successful prosecutions in PennDOT for macing, extortion, fake contracts in Monroe and Butler Counties and the same kind of suggestion for Mercer County. Again, all of these were uncovered by the Federal prosecutors or by local District Attorneys. There was absolutely no activity in this area by the Department of Justice, our own prosecutor, our own investigating tool, the State government's investigating tool.

It seems to me that State government should realize, as I think all of us do, that we have a duty to keep our own house clean and yet, unless we put this money back in, we have taken from our shopping list those house-cleaning tools which are necessary for the Department of Justice. If we deprive the Department of Justice of the funds to fulfill its function of making sure that State government is kept clean, we will be ill-advised to come back later, following further Federal prosecutions and local prosecutions which will be successful, and say that they are politically inspired.

Mr. President, I ask the support of every Member on this amendment.

Senator NOLAN. Mr. President, the amendment being offered is to give an appropriation to the Department of Justice in the amount of \$344,000. I would like to point out to the Members of the Senate that the Department of Justice, approximately two weeks ago, admitted that when they were investigating the alleged threats by

members of the underworld, they did not have subpoena power. Therefore, they could not carry on the proper investigation of the reported threats.

Mr. President, I would ask that this amendment be defeated until such time as we pass legislation here in this Body to give the State Department of Justice the power of subpoena so that they may subpoena witnesses before them for interrogation.

I would ask the defeat of this amendment because we do not have the money. This is the same type of amendment offered by the gentleman from Philadelphia, Senator Hill, which was defeated previously.

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

(During the calling of the roll, the following occurred:)
Senator EWING. 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—24

Ammerman,	Fleming,	Holl,	Moore,
Andrews,	Frame,	Howard,	Reibman,
Bell,	Hager,	Jubelirer,	Snyder,
Dougherty,	Hess,	Kury,	Stauffer,
Dwyer,	Hill,	Lentz,	Sweeney,
Ewing,	Hobbs,	Manbeck,	Tilghman,

NAYS—24

Arlene,	Kelley,	Murphy,	Orlando,
Cianfrani,	Lewis,	Murray,	Ross,
Coppersmith,	Lynch,	Myers,	Scanlon,
Duffield,	McKinney,	Nolan,	Smith,
Early,	Mellow,	Noszka,	Stapleton,
Hankins,	Messinger,	O'Pake,	Zemprelli,

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

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

TILGHMAN AMENDMENT

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

Amend Sec. 2, page 23, lines 9 through 27, by striking out all of said lines

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

Senator TILGHMAN. Mr. President, this is in line with an amendment which I offered several days ago relative to the Western Psychiatric Institute. This is striking from the General Appropriations bill appropriations to various institutions that should be in the non-preferred category. It would remove them from this bill.

I have in my hand here the necessary legislation to introduce, putting them in a nonpreferred or two-thirds vote basis. It does not change any funds. It would, I believe, put these institutions under the proper heading of government.

Senator NOLAN. Mr. President, I would ask that we oppose this amendment.

Senator TILGHMAN. Mr. President, of course, I do not know if these institutions stayed in the bill, whether we would require thirty-four votes for final passage of the General Appropriations bill or not.

POINT OF ORDER

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

The PRESIDENT. The gentleman from Westmoreland, Senator Kelley, will state it.

Senator KELLEY. Mr. President, in view of the last comment made by the gentleman from Montgomery, Senator Tilghman, I wonder if a point of order would not be proper at this time, ruling on the assumption that the bill, in its present form as it came before the Body on final passage, would take a majority vote or a two-thirds vote.

The PRESIDENT. The Chair would suggest that the gentleman refer to this ruling last week, which is on point, and I see no reason why any decisions would be changed unless the Chair could be convinced otherwise.

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Montgomery, Senator Holl, will state it.

Senator HOLL. Mr. President, I did not understand the ruling of the Chair or answer to the question. Do I understand that thirty-four votes will be required if this amendment fails?

The PRESIDENT. Senator, I can only refer to the ruling which was made by this Chair on this kind of point a week ago. I have not been convinced to change my mind. That question will be raised at the proper time.

At the moment we have before us an amendment.

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

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

YEAS—20

Andrews,	Fleming,	Holl,	Moore,
Bell,	Frame,	Howard,	Myers,
Dougherty,	Hager,	Jubelirer,	Stauffer,
Dwyer,	Hess,	Lentz,	Tilghman,
Ewing,	Hobbs,	Manbeck,	Wood,

NAYS—28

Ammerman,	Hill,	Messinger,	Ross,
Arlene,	Kelley,	Murray,	Scanlon,
Cianfrani,	Kury,	Nolan,	Smith,
Coppersmith,	Lewis,	Noszka,	Snyder,
Duffield,	Lynch,	O'Pake,	Stapleton,
Early,	McKinney,	Orlando,	Sweeney,
Hankins,	Mellow,	Reibman,	Zemprelli,

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

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

TILGHMAN AMENDMENTS

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

Amend Sec. 2, page 15, line 26, by striking out "78,000,000" and inserting: 82,000,000
Amend Sec. 2, page 32, line 2, by striking out "902,366,000" and inserting: 898,366,000

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

Senator TILGHMAN. Mr. President, these amendments would restore \$4 million of the \$6 million which has been cut from special education. They increase the special education amount by \$4 million over the present bill. They do not require any additional funds as the \$4 million would be deleted from the cash grant portion of the Department of Public Welfare.

Senator NOLAN. Mr. President, I oppose these amendments on the same basis as was pointed out before. We are in no position at this time to cut the welfare appropriation any further than we have already cut it.

Mr. President, I ask a "no" vote on these amendments.

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

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

YEAS—21

Andrews,	Frame,	Howard,	Moore,
Bell,	Hager,	Jubelirer,	Snyder,
Dougherty,	Hess,	Kelley,	Stauffer,
Dwyer,	Hobbs,	Lentz,	Tilghman,
Ewing,	Holl,	Manbeck,	Wood,
Fleming,			

NAYS—28

Ammerman,	Hill,	Murphy,	Reibman,
Arlene,	Kury,	Murray,	Ross,
Cianfrani,	Lewis,	Myers,	Scanlon,
Coppersmith,	Lynch,	Nolan,	Smith,
Duffield,	McKinney,	Noszka,	Stapleton,
Early,	Mellow,	O'Pake,	Sweeney,
Hankins,	Messinger,	Orlando,	Zemprelli,

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

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

TILGHMAN AMENDMENT OFFERED

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

Amend Sec. 2, page 59, line 8, by removing the colon after "year" and inserting: except that each county that has a State correctional institution located therein shall be paid for the direct costs incurred by the county in prosecuting cases arising out of the correctional institution:

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

TILGHMAN AMENDMENT WITHDRAWN

Senator TILGHMAN. Mr. President, may I withdraw that amendment? It is the wrong amendment. That one is so good, I am going to save it for the Conference Committee.

The PRESIDENT. Without objection, Senator Tilghman, for the purpose of preserving an amendment for the Conference Committee, withdraws his amendment.

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

TILGHMAN AMENDMENTS

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

Amend Sec. 2, page 32, line 2 by striking out all of said line and inserting: 872,366,000

Amend Sec. 2, page 36, line 21 by striking out "74,200,000" and inserting: 104,200,000

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

Senator TILGHMAN. Mr. President, this deals with the mass transit system in Pennsylvania, the largest group being the SEPTA group. You have Allegheny County, Altoona and some others.

Mass transit in Pennsylvania asked for \$112 million. The budget allocated \$74.2 million to mass transit. Throughout the Commonwealth mass transit is in a deplorable situation. We are going to have difficulty with the gasoline rationing problems facing us in the next several months and years; also, we have the Bicentennial upon us.

These amendments will place an additional \$30 million into PennDOT for mass transit and do not cost any extra money as the \$30 million will come from the Department of Public Welfare cash grant program.

Senator NOLAN. Mr. President, I would just request that the gentleman from Montgomery, Senator Tilghman, accept the last roll call vote on his amendments. Again we are trying to gut the Department of Welfare in the amount of \$30 million and we just cannot do this at this time.

Senator TILGHMAN. Mr. President, I will accept the last roll call unless there is a group that wants to change its mind.

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

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

Senator TILGHMAN. Mr. President, before the votes are announced, I have a feeling I did not do too well and some of my colleagues have advised me I should have saved these amendments for the Conference Committee too.

The PRESIDENT. That may never occur, Senator.

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

YEAS—12

Dougherty,	Hager,	Lentz,	Sweeney,
Ewing,	Hobbs,	Manbeck,	Tilghman,
Frame,	Howard,	Snyder,	Wood,

NAYS—36

Ammerman,	Fleming,	Lynch,	Noszka,
Andrews,	Hankins,	McKinney,	O'Pake,
Arlene,	Hess,	Mellow,	Orlando,
Bell,	Hill,	Messinger,	Ross,
Cianfrani,	Holl,	Moore,	Scanlon,
Coppersmith,	Jubelrre,	Murphy,	Smith,
Duffield,	Kelley,	Murray,	Stapleton,
Dwyer,	Kury,	Myers,	Stauffer,
Early,	Lewis,	Nolan,	Zemprelli,

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

REQUEST FOR REPUBLICAN CAUCUS

Senator FRAME. Mr. President, I would ask that the Senate be at ease in order that there might be a very short Republican caucus and would further ask that the Republican Senators come to their caucus room just as promptly as possible, and we will be back on the floor just as promptly as possible.

The PRESIDENT. Senator Nolan, is it desirable that you have a caucus or not?

Senator NOLAN. No, Mr. President. We will just stand at ease.

RECESS

The PRESIDENT. This Senate will be in recess until 6:00 p.m., for the purpose of a Republican caucus.

AFTER RECESS

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

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

HILL AMENDMENT

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

Amend Sec. 2, page 25, lines 4 through 23, by striking out all of said lines and inserting: including revenue collection and administration, criminal law enforcement, and regulation of consumer products and promotion of fair business practices 5,415,000

The PRESIDENT. For the information of the Members, this is a short amendment and the Chair will read it carefully. You may want to take note of the words:

"Amend Section 2, page 25, lines 4 through 23 by striking out all of said lines and inserting, 'including revenue collection and administration, criminal law enforcement, and regulation of consumer products and promotion of fair business practices \$5,415,000'."

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

POINT OF ORDER

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

The PRESIDENT. The gentleman from Westmoreland, Senator Kelley, will state it.

Senator KELLEY. Mr. President, I do not have a copy of this amendment, but the gentleman from Philadelphia, Senator Hill, having previously offered amendments, I am inquiring as to whether or not there is a similarity between this amendment offered and the one previously defeated today.

The PRESIDENT. If that is your point of order, the Chair would rule that while there is a similarity, it is a different amendment and is in order.

Senator KELLEY. Mr. President, I would like to inquire as to following the application of the Rules of the Senate. If the Chair rules it is different, then I suppose the Rule to which I was going to refer, Rule XV, Section 3, would not be applicable.

The PRESIDENT. That is the ruling of the Chair, Senator, which you may appeal if you choose.

Senator HILL. Mr. President, the purpose of this amendment—referring to page 25 of the General Appropriations bill—is to put into a lump sum the items specified on that page between lines 5 and 16. I noted in my previous statement here that the itemization of the salaries and expenses of the Department of Justice is the only place in the General Appropriations bill where this is done. In all of the other departments there is no such

itemization of these various matters. I think it is proper that there be no different treatment with the Department of Justice.

I have added into this amendment the sum of \$350,000 for the office of the Special Prosecutor, assuming that the Department would use it for that purpose. It is my understanding that that is about what it cost the Department to operate.

I would like to note for the record an article in Time Magazine, April 21, 1975. I will just read a short section out of that article. The article is captioned, "A Wealth Of Enemies." It is speaking of this investigation, the Phillips investigation. It certainly does have a wealth of enemies, I will agree to that.

The article says, "On the advice of a panel of law school deans, Walter M. Phillips, Jr., was chosen. Phillips had been a dedicated, dogged—

The PRESIDENT. Senator, the Chair rules you completely out of order. If it is your intention to dwell upon the Special Prosecutor, that issue has already been before the Senate. Your amendment is in order because it changes the line items in the Department of Justice. We are not considering the Special Prosecutor, which has already been before this Senate.

Senator HILL. Mr. President, may I respectfully note that it may be true that we are considering the line items, but we are also considering other aspects of it and one of the other aspects is certainly this investigation.

The PRESIDENT. Senator, if you introduced an amendment which has already been defeated, I would have ruled you out of order, and a discussion of the Special Prosecutor which has already been considered by the Senate, an issue for which you have a right to ask for reconsideration, is not before us at the moment.

Senator HILL. Mr. President, I have noted this article and I would recommend it to anyone who would like to read it. I have it with me.

Mr. President, I ask for support on this amendment, which is really needed.

Senator NOLAN. Mr. President, we had before us earlier in this Session an amendment for \$350,000 in additional appropriations to the Department of Justice. This is the same, in my opinion, as the amendment which was defeated earlier this afternoon. What has happened here, the gentleman from Philadelphia, Senator Hill, has taken the complete line item budget and added to it the \$350,000 appropriation which was defeated earlier.

Again, Mr. President, I say we do not have the money and I would ask a "no" vote on the amendment.

Senator KELLEY. Mr. President, the only argument which has been advanced by the sponsor of the amendment has been the fact that this is the only part of the General Appropriations bill that is line-itemed. I would like to remind my colleagues that there were quite a few of us who earlier supported the line item amendments offered by the gentleman from Lancaster, Senator Snyder. I think the line item, with some specificity, would be to our benefit for a better control over the Commonwealth funds and expenditures. I see nothing wrong with it and I think it is a move in the proper direction. If nothing else, we would benefit from the experience factor by continuing this in the General Appropriations bill.

Senator HILL. Mr. President, just a short answer to that point. The question is why is it line-itemed? I have given my reasons as to why it is line itemed before and they still stand.

Mr. President, I ask for the support of this amendment.

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

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

YEAS—22

Ammerman,	Frame,	Jubelirer,	O'Pake,
Andrews,	Hager,	Kury,	Stauffer,
Bell,	Hess,	Lewis,	Sweeney,
Dougherty,	Hill,	Lynch,	Tilghman,
Ewing,	Holl,	Myers,	Zemprelli,
Fleming,	Howard,		

NAYS—26

Arlene,	Hobbs,	Moore,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lentz,	Nolan,	Smith,
Duffield,	Manbeck,	Noszka,	Snyder,
Dwyer,	McKinney,	Orlando,	Stapleton,
Early,	Mellow,	Reibman,	Wood,
Hankins,	Messinger,		

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

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

FRAME AMENDMENTS

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

Amend Sec. 2, page 58, line 24, by inserting after "COURTS,": and (161) District Justices of the Peace

Amend Sec. 2, page 58, line 25, by inserting after "EXCLUDING": under all headings

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

Senator FRAME. Mr. President, the purpose of this amendment and the effect of these amendments, if adopted, would be to include in court costs, for the purpose of reimbursement from the Commonwealth to the counties thereof, the district justices of the peace.

Mr. President, in prior years, between the General Appropriations bill or the revenue-sharing bill of last year, the definition of courts included district justices of the peace, thereby being of great help to some of our counties. For some reason, perhaps inadvertently, in House Bill No. 1336, district justices of the peace were not included in the definition of courts.

Senator NOLAN. Mr. President, we have been advised by the Department of Community Affairs that they have never paid this before. If we are going to do this, these are technical amendments as far as the bill is concerned.

Mr. President, I would ask a "no" vote on the amendments.

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

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

YEAS—22

Andrews,	Frame,	Jubelirer,	Snyder,
Bell,	Hager,	Kelley,	Stapleton,
Dougherty,	Hess,	Lentz,	Stauffer,
Dwyer,	Hobbs,	Manbeck,	Tilghman,
Ewing,	Holl,	Moore,	Wood,
Fleming,	Howard,		

NAYS—27

Ammerman,	Hill,	Murphy,	Reibman,
Arlene,	Kury,	Murray,	Ross,
Cianfrani,	Lewis,	Myers,	Scanlon,
Coppersmith,	Lynch,	Nolan,	Smith,
Duffield,	McKinney,	Noszka,	Sweeney,
Early,	Mellow,	O'Fake,	Zemprelli,
Hankins,	Messinger,	Orlando,	

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

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

FRAME AMENDMENTS

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

Amend Sec. 2, page 59, line 6, by striking out "costs" and inserting: population
Amend Sec. 2, page 59, line 7, by striking out "costs" and inserting: population

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

Senator FRAME. Mr. President, the effect of adopting these amendments would be to provide a much fairer and more equitable formula for the distribution of the reimbursement of court costs to the counties.

Mr. President, under the present Act, reimbursement is on a basis of costs of the court system. These amendments would propose to alter it to make it on a per capita basis. Under the present system, there is a gross inequity in the computation of the reimbursement in that there is a wide variety of per capita figures ranging from fifty-five cents per person to Bedford County to \$5.42 per person to Philadelphia County. By way of example, under the present language of the bill, Clarion County received, in terms of the 1974-1975 fiscal year, \$21,045. If these amendments were adopted, Clarion County would receive \$72,000.

Mr. President, similarly, looking at Clearfield County as a further example, under the language in the bill for the fiscal year 1974-1975, Clearfield County received \$53,437.44; if the amendments were adopted, Clearfield County would have received \$144,000.

Similarly, Cumberland County, which, under the formula in the present Act and in the bill now, received \$121,000, would receive \$312,000, or almost three times as much as is being offered here today.

To use several more examples, Fayette County, under the present Act, would receive in the same fiscal year \$126,000; under the amendments I am urging acceptance by the Senate, it would receive \$312,000.

Greene County, which presently would receive \$25,000, under the language of the amendments, if adopted, would receive an increase to a total of \$72,000.

Indiana County, which under the language of the present formula receives \$68,000, would receive \$160,800.

Jefferson County, which now receives \$28,000, would receive \$88,800.

Even in Lackawanna County, which under the present formula receives \$266,000, would, if the amendments were adopted, have an increase to \$456,000.

Northumberland County, under the present language of the bill would have received in the prior fiscal year \$78,638, and if these amendments were adopted, would receive a total of \$201,600. You will note that these are very substantial increases.

The same thing would be true in Washington County, which under the language of the bill in front of us would receive \$294,000, would receive \$427,000.

Delaware County, under the language of the present Act, their county commissioners would receive and their local taxpayers would have their burden lessened by \$969,000. If the amendments we are urging you to adopt here tonight were adopted, the reimbursement to Delaware County and to aid the taxpayers of that county in support of their court systems would be \$1,200,000, or about a \$230,000 increase.

Mr. President, I ask for the adoption of the amendments.

Senator MESSINGER. Mr. President, I desire to interrogate the gentleman from Venango, Senator FRAME.

The PRESIDENT. Will the gentleman from Venango, Senator Frame, permit himself to be interrogated?

Senator FRAME. I will, Mr. President, and I apologize for not giving the Lehigh County figures which are available.

Senator MESSINGER. Mr. President, will the gentleman repeat that, please?

Senator FRAME. Mr. President, I accept interrogation and I apologize at the same time for not sharing with my colleagues the Lehigh County figures which are available in front of me.

Senator MESSINGER. Mr. President, that is exactly what I would like to know: What are the figures for Lehigh County, because I felt very slighted when the gentleman did not read them.

Senator FRAME. Mr. President, the gentleman is far too distinguished a Senator and too good a friend to be neglected so I will explain to my colleagues that under the formula that is in the bill in front of you and under this present Act for the 1974-1975 fiscal year, Lehigh County received \$242,641. Under the amendments that I am urging be adopted, because I want to do something for the people of Lehigh County, as I know you would too, in an effort to help the people of Lehigh County, they are fine people, they would receive \$504,000, or approximately a little bit more than twice as much as the proposal now before the Senate.

Senator MESSINGER. Mr. President, I thank the gentleman. He almost persuaded me.

Senator NOLAN. Mr. President, I desire to interrogate the gentleman from Venango, Senator Frame.

The PRESIDENT. Will the gentleman from Venango, Senator Frame, permit himself to be interrogated?

Senator FRAME. I will, Mr. President.

Senator NOLAN. Mr. President, I wonder if the gentleman from Venango, Senator Frame, would give us a comparison of what Philadelphia County would receive under his proposal and what it is at the present time?

Senator FRAME. Mr. President, under the present formula the payment to Philadelphia County for 1974-1975 worked out to \$5.42 per person, or \$10,567,934.88. Under the formula we are suggesting here today, in order to be fair to some other counties, other than Philadelphia alone, Philadelphia would receive about \$3,964,000, or about \$4 million.

Senator NOLAN. Mr. President, a total loss of \$6 million, is that what the gentleman is saying?

Senator FRAME. Yes, Mr. President.

Senator NOLAN. Mr. President, now would the gentleman give us the figures for Bucks County?

Senator FRAME. Yes, Mr. President. Bucks County,

under the formula now in the bill, received an actual reimbursement for fiscal 1974-1975 of \$673,659. Under the formula which these amendments propose, in an effort to be of further help to the people of Bucks County, their reimbursement for court costs would increase to \$840,000.

Senator NOLAN. Mr. President, would the gentleman apply it to Chester County?

Senator FRAME. Yes, Mr. President. Under the formula that is now in the bill, Chester County received, for fiscal 1974-1975, \$382,313.28, or a per capita reimbursement of \$1.37. Under the amendments, if adopted, which are now before the Senate and of which I urge the adoption, Chester County's reimbursement for court costs, the aid they would receive in their county tax burden, would be increased from the \$382,313.28 to \$552,000.

Senator NOLAN. Mr. President, how would Allegheny County fare under the gentleman's formula?

Senator FRAME. Mr. President, Allegheny County would actually lose very, very little on the adoption of these amendments. Allegheny, under the present formula, received in fiscal 1974-1975, \$4,087,974. If these amendments were adopted, it would appear that Allegheny County would receive \$3,264,000 in court reimbursements.

Senator NOLAN. Mr. President, how would Delaware County fare under his formula?

Senator FRAME. Mr. President, I mentioned Delaware earlier but I am very happy to repeat it.

Senator NOLAN. Mr. President, I would like to know the difference.

Senator FRAME. Mr. President, under the formula now in the present law, Delaware would receive actually in fiscal 1974-1975, \$969,693. If you adopt my amendments, Delaware County's commissioners would receive somewhat further help in that they would be increased, and their taxpayers' burden thereby lessened, to a total of \$1,200,000.

Senator NOLAN. Mr. President, Montgomery County?

Senator FRAME. Mr. President, Montgomery County under the formula now in the bill received in fiscal 1974-1975 \$1,165,000. Under the amendments, if adopted, and the funds distributed on a more equitable basis, would receive a total of \$1,267,000.

I hope we have the same work sheets.

Senator NOLAN. Mr. President, the gentleman is proposing then to give Montgomery County a \$2,000 increase?

Senator FRAME. No, Mr. President, I am proposing that they be increased from \$1,165,000 to \$1,267,000, which I think is about \$102,000. You just lost \$100,000. That is probably not too big a sum here but it might be helpful in Montgomery County.

Senator NOLAN. Mr. President, I might point out that the proper place to take care of a formula of costs is not in the General Appropriation budget. It amazes me that there has not been an amendment offered that we change the subsidy for the school districts under this budget. If we are going to permit a formula to be changed under the budget, then we should consider all the formulas of State government, regardless of what department they would fall into.

I would request that we oppose the amendments of the gentleman from Venango, Senator Frame.

Senator FRAME. Mr. President, the point of my colleague, the Majority Leader, might be correct except that the only place in law that the formula is set forth is in the General Appropriations bill, House Bill No. 1336. I

am simply trying to change a provision that is now in the bill.

And the question recurring,

Will the Senate agree to the Frame amendments?

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

YEAS—23

Andrews, Bell, Dwyer, Fleming, Frame, Hager,	Hess, Hobbs, Holl, Howard, Jubelirer, Kelley,	Kury, Lentz, Manbeck, Moore, Myers, Snyder,	Stapleton, Stauffer, Sweeney, Tilghman, Wood,
---	--	--	---

NAYS—26

Ammerman, Arlene, Cianfrani, Coppersmith, Dougherty, Duffield, Early,	Ewing, Hankins, Hill, Lewis, Lynch, McKinney, Mellow,	Messinger, Murphy, Murray, Nolan, Noszka, O'Pake,	Orlando, Reibman, Ross, Scanlon, Smith, Zemprell,
---	---	--	--

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

MELLOW AMENDMENT

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

Amend Sec. 2, page 10, by inserting between lines 18 and 19: For the Pennsylvania Industrial Development Authority for construction loans 5,000,000

On the question,

Will the Senate agree to the Mellow amendment?

Senator MELLOW. Mr. President, what my amendment will do will merely be to restore the \$5 million appropriation to the Pennsylvania Industrial Development Authority as it was originally passed in the House of Representatives last week.

I know that both the opponents and proponents of the bill are going to talk about a \$35 million bond issue which, hopefully, will be floated the last week of July. However, I would like to indicate to this Body that one of the most productive programs that we have had in the State government has been the industrial development.

Currently the Pennsylvania Industrial Development Authority has a revolving fund of approximately \$18 million each year going back for industrial development in this Commonwealth. In July, if and when the \$35 million bond issue is accepted, the Pennsylvania Industrial Development Authority will have an additional \$35 million.

However, because of an Internal Revenue ruling, bonds which will be sold on that particular day will be limited to a \$1 million small issue exemption, which will indicate and which will mean to us that if that bond issue of \$35 million is sold, the maximum which the Pennsylvania Industrial Development Authority can lend from that \$35 million to any one particular corporation would be \$1 million. If a business would come in and ask for a \$3 million loan, the maximum which they could lend out of this particular \$35 million bond issue would be \$1 million and the other \$2 million to meet that requirement would have to come from the funds and the revenues which

have been generated through the Pennsylvania Industrial Development Authority.

We have been very fortunate in the eastern part of the Commonwealth to have had the Pennsylvania Industrial Development Authority, and the revitalization to industrial development has been due, in large part, to this particular program. There is no question in my mind that the \$5 million we are asking to be reinstated, which was put in by the House of Representatives, is something that will go a long way to meet the future commitment of approximately \$50 million of the Pennsylvania Industrial Development Authority.

Senator NOLAN. Mr. President, I do not think any of us could deny the good which PIDA has done in this Commonwealth. Appropriations have been made to PIDA since its origin. It has now reached the point, according to Mr. McIntosh, the Governor's Budget Secretary who was in our caucus this afternoon, that there are \$15 million coming in which is going to be rotated out in loans.

In addition to this, they have set up a bond commission which is now in the process and it is their hope that within the next two weeks they will sell \$35 million in bonds, thereby providing for PIDA a total sum of \$50 million. It was just one year ago that PIDA said they did not need any money, and if you will notice in the Governor's budget, there was no money requested this year for PIDA. Last year there was a deficiency appropriation put in for PIDA.

Because the money is not available at this time, Mr. President, I would request that this amendment be defeated, the same as the others have been defeated. If, someplace down the road they do run out of money, after having \$50 million within the next month, they can come back for a deficiency appropriation the same as they did last year.

Senator FRAME. Mr. President, I wish to rise to support the proposed amendment offered by my colleague, the gentleman from Lackawanna, Senator Mellow. In fact, if he had not offered the amendment, I would have. I applaud the work of PIDA and the necessity for keeping it functioning.

If the money is not needed and if the bond sale materializes and goes through, the resources contained in this amendment can always be lapsed. However, I do not think in the present economy that there is any certainty on the bond sale. There was, in the last week or two, on the Pennsylvania Higher Education Facilities Authority, a bond bid opening and they were surprised and disappointed to find that there were no bidders at all.

Senator MELLOW. Mr. President, I would like to point out one additional piece of information which formed our industrial development—that PIDA does lend money at four per cent. PIDA pays about eight per cent for their money. Therefore, part of the money that is currently made up in revolving revenues has to be paid out to supplement that four per cent interest rate, the additional four per cent interest rate which PIDA must pay. Also, we do have an obligation right now, a commitment of \$51 million worth of loans through PIDA.

Senator NOLAN. Mr. President, in answer to the gentleman from Venango, Senator Frame, it seems to me that it is rather foolish on the part of the Senate to appropriate \$5 million on the basis that it will lapse back into the General Revenue Fund. In the past, every year that I have been in Harrisburg, when we pass the budget, sometime during the year there are other appro-

priation bills put into the hopper and passed by the Legislature. It would seem more wise to me that we would take the \$5 million at this time, if we had it, and appropriate that to some other department of government or wait until the future when there is another appropriation bill put in.

In further answer to the gentleman's remarks, it is my understanding that these bonds are not being put out on a bid basis, but that they are being negotiated. We have been assured by the Secretary of the Budget that they expect no trouble whatsoever negotiating the sale of these bonds.

And the question recurring,

Will the Senate agree to the Mellow amendment?

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

YEAS—17

Andrews,
Bell,
Dougherty,
Dwyer,
Ewing,

Frame,
Hager,
Hobbs,
Kelley,

Kury,
Mellow,
Moore,
Murphy,

Myers,
Sweeney,
Tilghman,
Wood,

NAYS—32

Ammerman,
Arlene,
Cianfrani,
Coppersmith,
Duffield,
Early,
Fleming,
Hankins,

Hess,
Hill,
Holl,
Howard,
Jubelirer,
Lentz,
Lewis,
Lynch,

Manbeck,
McKinney,
Messinger,
Murray,
Nolan,
Noszka,
O'Pake,
Orlando,

Reibman,
Ross,
Scanlon,
Smith,
Snyder,
Stapleton,
Stauffer,
Zemprelli,

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

ZEMPRELLI AMENDMENT

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

Amend Sec. 2, page 27, lines 14 to 17, by striking out all of said lines

On the question,

Will the Senate agree to the Zemprelli amendment?

Senator ZEMPRELLI. Mr. President, the amendment is a very simple one. It goes right to the jugular vein. It cuts off the money for the Milk Marketing Board, thus insuring its demise. I cannot understand how it could exist without this appropriation.

It also affects the economy by \$500,000, which should be attractive to all the Members of the Senate.

I understand that Mr. Kapleau has resigned as Chairman of the Board and I understand from various members of the Board that it ceases to serve any function. It is an idea that has had its time and has somewhat overgrown its time.

Therefore, Mr. President, I ask for unanimous support of this amendment.

I understand the Governor is in support of this; I understand that members of the Board are in support of this; I understand the farmers are also for it because it would do away with a great deal of the regulation that was necessary at one time, such as price fixing. It would allow for the great flow of a free market on milk and the people in Allegheny County would certainly be very happy.

I am asking all the Members of the Senate to adopt this amendment.

Mr. President, I request a roll call vote.

Senator KURY. Mr. President, I have always enjoyed the remarks of my colleague, the gentleman from Allegheny, Senator Zemprelli, but I want to say with regard to his information as to how the farmers of Pennsylvania feel about this amendment, I think he is misinformed.

I respectfully and strongly oppose this amendment. There is nothing wrong with the Milk Marketing Board that getting some people over there who understand the problem would not cure.

Therefore, Mr. President, I ask the Members on both sides of the aisle to vote against this amendment.

Senator ZEMPRELLI. Mr. President, I have one farmer in my District, Frank McKinney of Forward Township. He has 187 acres and he has about three cows, and I think he died last year. Therefore, I did not have any really reliable source to go to, but I ran into the Secretary of Agriculture last night, James McHale, and I said, "How would the farmers in Pennsylvania feel about this amendment?" He reassured me that they would be for this amendment.

Not having any other farmers to talk to, I thought the Secretary would probably be in a position of privity with most of the farmers and that he could reflect accurately what the farm people in this county and Commonwealth thought. He has told me this and I am relaying it as the opinion of the farmers of Pennsylvania.

Senator KURY. Mr. President, I would just say that the gentleman from Allegheny, Senator Zemprelli, is a lot better informed on banking than he is on farming.

Senator JUBELIRER. Mr. President, I rise to support my colleague, the gentleman from Northumberland, Senator Kury, in his opposition to this amendment. I think I can speak fairly well for the dairy farmers of Blair, Bedford and Huntingdon Counties, from the big valley in Mifflin County and from our part of Somerset County, and I say they would be violently opposed to the gutting of the Milk Marketing Board.

What the Milk Marketing Board needs is some people in it who are willing to act. The dairy farmers have had a most difficult time in the current inflationary situation and, unfortunately, the Milk Marketing Board has not done much about it. We would hope that upon Mr. Kapleau's resignation, the Governor will see fit to appoint someone who intends to act and act properly on that Board.

I might say, as an aside, that as Secretary McHale speaks, I do not think that my farmers would listen to that sort of thing as they have not been listening to much else of what he has said on various situations.

Mr. President, I ask for the defeat of this amendment.

Senator LENTZ. Mr. President, in all fairness to the gentleman from Allegheny, Senator Zemprelli, I think he should realize that the gentleman from Northumberland, Senator Kury, may have been bluffing because I do happen to know my farming. I also happen to know that the gentleman from Northumberland, Senator Kury, was not speaking with authority because he has beef cattle, he does not have dairy cattle on his place. Am I correct?

Senator NOLAN. Mr. President, I would just like to point out that the employees of the Milk Marketing Board are expecting to be paid and cutting out the appropriation to the Milk Marketing Board is going to leave us with a problem of employees facing payless pay days. We

have had many proposals on this floor this afternoon to cut the welfare budget and if this amendment passes, we had better consider raising the welfare budget.

Mr. President, I ask that we oppose this amendment.

Senator MANBECK. Mr. President, I am wondering whether the gentleman from Allegheny, Senator Zemprelli, will consent to be interrogated.

The PRESIDENT. I think, Senator, the better question would be whether forty other Senators would permit the interrogation.

Senator ZEMPRELLI. Mr. President, I went through this with the gentleman from Lebanon, Senator Manbeck, when I was a fledgling Member of the House. There was an easy credit bill that I was associated with and the gentleman, then Representative Manbeck, used Pennsylvania Dutch on me, and I do not understand Pennsylvania Dutch, let alone the gentleman from Lebanon, Senator Manbeck. But, Mr. President, if he will promise to speak in English, I will promise to try to answer in English, or its equivalent.

The PRESIDENT. On the condition, Senator, that you confine your interrogation to the English language, the gentleman will permit himself to be interrogated.

Senator MANBECK. Mr. President, I have to admit that I was born and raised back in the sticks of the Blue Mountain and when my mother took me away and put shoes and a tie on me, I cried. I thought I was a calf being tied, and I could not talk English and I still do not do a very good job of it.

Mr. President, the question I would like to ask of the gentleman is whether he would define the duties of the Milk Marketing Board.

Senator ZEMPRELLI. Mr. President, I would define the duties of the Milk Marketing Board to be of two categories. The first is price fixing, which I think the Federal government has pretty well taken into account in its supersedeas and rules and regulations to establish fair payments to the producers, the farmers. Secondly, there are certain regulatory measures which they have invoked to insure the health and safety of the milk community and those who consume the products. I would think anything beyond that would be more or less dialogue and superficial.

Mr. President, in proposing to eliminate the appropriation, I said I would go to the jugular vein to eliminate the Board because the objective would be to create a free market for milk. I do not think we need price stabilization in that area. I do not suggest—

Senator MANBECK. Mr. President, I asked the gentleman to define the duties of the Milk Marketing Board and I think he is getting away from the subject.

Senator ZEMPRELLI. Mr. President, I think I should have the opportunity to answer the question. I would just suggest I would think that the rules and regulations that concern health measures and the sanitary aspect of milk production and consumption would be transferred to the Department of Health, where it belongs, because that is as much a health measure as sanitation or any of the other subject matters the Department deals with.

Mr. President, with respect to the employees not being paid, if the Board is gone, the employees are not necessary.

The PRESIDENT. Senator, that is not Senator Manbeck's question.

Senator MANBECK. Mr. President, I thank the gentle-

man. I would like to call the attention of all the Members to the adage on the Senate Calendar today:

"Brevity is the best recommendation of speech, whether in a senator or an orator." I think the gentleman qualifies for both.

Mr. President, I would like to say to my colleagues today that I have heard many discussions concerning the Milk Marketing Board and they always talk about the price of milk; but that is not really the only problem that we have and not the only obligation of the Milk Marketing Board. I think you put your finger on one of the problems. They do regulate the production and sanitation of the production of milk. I think that is a very important part and I think it would be a mistake to eliminate the appropriation and abolish the Milk Marketing Board in that fashion.

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

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

YEAS—9

Bell, Early, Ewing,	Fleming, Hill,	Holl, Lentz,	Tilghman, Zemprelli,
---------------------------	-------------------	-----------------	-------------------------

NAYS—40

Ammerman, Andrews, Arlene, Cianfrani, Coppersmith, Dougherty, Duffield, Dwyer, Frame, Hager,	Hankins, Hess, Hobbs, Howard, Jubelirer, Kelley, Kury, Lewis, Lynch, Manbeck,	McKinney, Mellow, Messinger, Moore, Murphy, Murray, Myers, Nolan, Noszka, O'Pake,	Orlando, Reibman, Ross, Scanlon, Smith, Snyder, Stapleton, Stauffer, Sweeney, Wood,
---	--	--	--

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

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

It was agreed to.

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

On the question,
Shall the bill pass finally?

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

YEAS—27

Ammerman, Arlene, Cianfrani, Coppersmith, Dougherty, Duffield, Dwyer,	Hankins, Kury, Lewis, Lynch, McKinney, Mellow, Messinger,	Murphy, Murray, Nolan, Noszka, O'Pake, Orlando, Reibman,	Ross, Scanlon, Smith, Stapleton, Sweeney, Zemprelli,
---	---	--	---

NAYS—22

Andrews, Bell, Early, Ewing, Fleming, Frame,	Hager, Hess, Hill, Hobbs, Holl, Howard,	Jubelirer, Kelley, Lentz, Manbeck, Moore,	Myers, Snyder, Stauffer, Tilghman, Wood,
---	--	---	--

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

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

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator AMMERMAN, by unanimous consent, reported from the Committee on Rules and Executive Nominations, communication from His Excellency, the Governor, recalling the following nomination, which was read by the Clerk as follows:

MEMBER OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

June 17, 1975

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 April 8, 1975 for the appointment of Mrs. Nira G. Davis, 85 Crosby Square, Chester 19013, Delaware County, Ninth Senatorial District, as a member of the Delaware County Board of Assistance, to serve until December 31, 1976, and until her successor is duly appointed and qualified, vice Mrs. Carolyn Saunders, whose term expired.

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

MILTON J. SHAPP

NOMINATION RETURNED TO THE GOVERNOR

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

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator AMMERMAN, 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:

SECRETARY OF ENVIRONMENTAL RESOURCES

January 21, 1975

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 Honorable Maurice K. Goddard, 211 North 19th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as Secretary of Environmental Resources, from January 6, 1975, to serve until the third Tuesday of January, 1979, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

March 10, 1975

Mrs. Mary Louise Wright, 1835 Butztown Road, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, from December 20, 1974, until the third Tuesday of January 1979, and until her successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
ALLENTOWN STATE HOSPITAL

April 9, 1975

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as a member of the Board of Trustees of Allentown State Hospital:

Ms. Mabel Meixell, 246 West Fairview Street, Bethlehem 18018, Northampton County, Eighteenth Senatorial District, to serve until the third Tuesday of January, 1981, and until her successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE STATE BOARD OF
AUCTIONEER EXAMINERS

March 10, 1975

Ralph M. Stewart, 616 Philadelphia Street, Indiana 15701, Indiana County, Forty-first Senatorial District, from December 23, 1974, for a term of one year, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE BOARD OF TRUSTEES OF
BLOOMSBURG STATE COLLEGE

March 10, 1975

John Kubeika, 50 North Second Street, St. Clair 17970, Schuylkill County, Twenty-ninth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Joseph M. Nespole, R. D. #2, Berwick 18603, Columbia County, Twenty-seventh Senatorial District, from December 13, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

Richard K. Walton, 1626 Franklin Street, Berwick 18603, Columbia County, Twenty-seventh Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Dr. Edwin Weisbond, 506 South Hickory Street, Mount Carmel 17851, Northumberland County, Twenty-seventh Senatorial District, from December 13, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

William Zurick, R. D. #1, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
BLOOMSBURG STATE COLLEGE

April 9, 1975

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Fay, Cal-Beth Place, Hazel Township, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of Bloomsburg State College, to serve until the third Tues-

day of January, 1981, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS

March 10, 1975

Harry Cerino, 824 Mt. Scotia Road, Philadelphia 19128, Philadelphia County, Sixth Senatorial District, from December 24, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

Reese A. Massey, 615 Nelson Drive, Media 19063, Delaware County, Ninth Senatorial District, from December 24, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
EBENSBURG STATE SCHOOL AND HOSPITAL

March 10, 1975

Wilbert C. Snyder, R. D. #1, Manns Choice 15550, Bedford County, Thirtieth Senatorial District, from December 20, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
EBENSBURG STATE SCHOOL AND HOSPITAL

April 9, 1975

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elsie Mildred Schmidt, Box No. 393, R. D. No. 3, Leechburg 15656, Armstrong County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg State School and Hospital, to serve until the third Tuesday of January, 1981, and until her successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE STATE BOARD OF EDUCATION

March 10, 1975

Mrs. Madge K. Benovitz, 840 Nandy Drive, Kingston 18704, Luzerne County, Twentieth Senatorial District, from December 26, 1974, until October 1, 1980, and until her successor has been appointed and qualified.

Mrs. Jane S. Freedman, 1014 West Hortter Street, Philadelphia 19119, Philadelphia County, Thirty-sixth Senatorial District, from December 17, 1974, until October 1, 1976, and until her successor has been appointed and qualified.

John O. Hershey, Ph.D., The Homestead, Hershey 17033, Dauphin County, Fifteenth Senatorial District, from December 17, 1974, until October 1, 1977, and until his successor has been appointed and qualified.

Dr. Althea Kratz Hotel, 824 Gatemore Road, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, from December 17, 1974, until October 1, 1978, and until her successor has been appointed and qualified.

Sister M. Michelle Keenan, Ph.D., Vice President, Marywood College, Scranton 18509, Lackawanna County, Twenty-second Senatorial District, from December 17, 1974, until October 1, 1978, and until her successor has been appointed and qualified.

Dr. Richard C. Keller, 113 North Charlotte Street, Millersville 17551, Lancaster County, Thirteenth Senatorial District, from December 17, 1974, until October 1, 1979, and until his successor has been appointed and qualified.

Mrs. Gladys B. McNairy, 745 Bryn Mawr Road, Pittsburgh 15219, Allegheny County, Forty-third Senatorial

District, from December 17, 1974, until October 1, 1979, and until her successor has been appointed and qualified.

Donald Rappaport, 7305 Emlen Street, Philadelphia 16119, Philadelphia County, Thirty-sixth Senatorial District, from December 17, 1974, until October 1, 1976, and until his successor has been appointed and qualified.

Gail L. Rose, R. D. #1, Renfrew 16053, Butler County, Twenty-first Senatorial District, from December 17, 1974, until October 1, 1977, and until his successor has been appointed and qualified.

James H. Rowland, Sr., Esquire, 812 North 17th Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, from December 17, 1974, until October 1, 1978, and until his successor has been appointed and qualified.

Fred Speaker, Esquire, 506 Colony Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, from December 17, 1974, until October 1, 1979, and until his successor has been appointed and qualified.

Honorable Robert C. Wise, 4 West Fourth Street, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, from December 26, 1974, until October 1, 1976, and until his successor has been appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE PENNSYLVANIA
FISH COMMISSION

March 10, 1975

Leonard A. Green, R. D., Carlisle 17013, Cumberland County, Thirty-first Senatorial District, from January 6, 1975, until second Tuesday of January 1982, and until his successor is appointed and qualified.

John A. Hugya, 157 Floyd Street, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, from January 6, 1975, until second Tuesday of January 1982, and until his successor is appointed and qualified.

Jerome E. Southerton, Honesdale 18431, Wayne County, Twentieth Senatorial District, from January 6, 1975, until second Tuesday of January 1976, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE PENNSYLVANIA HOUSING
FINANCE AGENCY

June 6, 1975

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Pennsylvania Housing Finance Agency:

Mrs. Nancy Neuman, R. D. No. 1, Box 132, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, to serve until July 20, 1979, and until her successor is appointed and qualified, vice Mrs. Yvonne S. Perry, Philadelphia, resigned.

Walter G. Arader, 600 Huston Road, Radnor 19087, Delaware County, Seventeenth Senatorial District, to serve until July 20, 1975, and until his successor is appointed and qualified, vice Richard Fox, Jenkintown, resigned.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA

March 10, 1975

Dr. Donald W. Minter, Box 99, Worthington 16262, Armstrong County, Forty-first Senatorial District, from December 20, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE INDUSTRIAL BOARD

April 9, 1975

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as a member of the Industrial Board:

Mrs. Rosa E. Simpson, 43 Universal Street, Bridgeville 15017, Allegheny County, Thirty-seventh Senatorial District, to serve until the third Tuesday of January, 1979, and until her successor shall have been appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE INDUSTRIALIZED HOUSING
ADVISORY COMMISSION

March 10, 1975

Michael D. Banko (Labor Union), 1917 Moravian Extended, New Castle 16101, Lawrence County, Fifteenth Senatorial District, from December 18, 1974, for a term of three years, and until his successor is appointed and qualified.

Mrs. Shirley Dennis (Housing Association), 1656 Easton Road, Willow Grove 19090, Montgomery County, Second Senatorial District, from December 18, 1974, for a term of three years, and until her successor is appointed and qualified.

Ronald A. Johnson (Manufacturer), R. D. 1, Box 262, Spruce Hills, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, from December 20, 1974, for a term of one year, and until his successor is appointed and qualified.

Robert Henry Allen Laudenslager (Developer), 2228 Walnut Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, from December 20, 1974, for a term of one year, and until his successor is appointed and qualified.

Herbert M. Packer (Trade Association), 58 Circle Drive, Camp Hill 17011, Cumberland County, Fifteenth Senatorial District, from December 18, 1974, for a term of three years, and until his successor is appointed and qualified.

Julius B. Uehlein (Labor Union), 233 Winding Way, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, from December 18, 1974, for a term of one year, and until his successor is appointed and qualified.

Floyd W. Alston (Developer), 108 East Sedgwick Street, Philadelphia 19119, Philadelphia County, from December 18, 1974, for a term of two years, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE STATE BOARD OF
LANDSCAPE ARCHITECTS

March 10, 1975

H. Edward Black, 1494 Litchworth Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, from December 23, 1974, until July 12, 1977, and until his successor is appointed and qualified.

MILTON J. SHAPP

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

March 10, 1975

R. Vance Andrew (Used Car Dealer), 202 Crest Avenue, Washington 15301, Washington County, Forty-sixth Senatorial District, from December 23, 1974, until March 7, 1976, and until his successor is appointed and qualified.

James Hamilton (New Car Dealer), 125 Crestview Manor, Monongahela 15063, Washington County, Forty-sixth Senatorial District, from December 23, 1974 until March 7, 1977, and until his successor is appointed and qualified.

Roy A. Schneck (New Car Dealer), 69 South Tulpehecon Street, Pine Grove 17963, Schuylkill County,

Twenty-ninth Senatorial District, from December 23, 1974, until March 7, 1977, and until his successor is appointed and qualified.

MILTON J. SHAPP

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

April 9, 1975

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 Gene Lispi (Used Car Dealer), 7 Crescent Drive, Riverview Terrace, Plains, Wilkes-Barre 18705, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, to serve until March 5, 1978, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE BOARD OF TRUSTEES OF
NANTICOKE STATE GENERAL HOSPITAL

March 10, 1975

Leon Kolanowski, 122 West Main Street, Nanticoke 18634, Luzerne County, Fourteenth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Herbert J. Morris, Valleyview Drive, Shrine Acres, Dallas 18612, Luzerne County, Twentieth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Henry Shipkowski, 15 West Ridge Street, West Nanticoke 18634, Luzerne County, Fourteenth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
TORRANCE STATE HOSPITAL

April 9, 1975

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 Richard Casella, Box 133, Spring Church 15636, Armstrong County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January, 1981, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF COMMISSIONERS
ON UNIFORM STATE LAWS

March 10, 1975

William H. Wood, Esquire, 825 Indiana Avenue, Le-moyne 17043, Cumberland County, Thirty-first Senatorial District, from December 23, 1974, for the term of four years, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL

April 9, 1975

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 R. R. Whitmer, 6 North Eighth Street, Clarion 16214, Clarion County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January, 1981, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE DAUPHIN COUNTY BOARD
OF ASSISTANCE

April 8, 1975

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 Wesley Allen Plummer (Democrat), 2048 Market Street, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Dauphin County Board of Assistance, to serve until December 31, 1976, and until his successor is duly appointed and qualified, vice Stephen R. Reed, resigned.

MILTON J. SHAPP

PUBLIC ASSISTANCE BOARD

March 10, 1975

GREENE COUNTY

Paul Crouse, Rodgerville 15359, Greene County, Forty-sixth Senatorial District, from December 31, 1974, until December 31, 1976, and until his successor is duly appointed and qualified.

Jonathan Moody, Bobtown 15315, Greene County, Forty-sixth Senatorial District, from December 31, 1974, until December 31, 1977, and until his successor is duly appointed and qualified.

Doctor Myer R. Sonneborn, Wind Ridge 15380, Greene County, Forty-sixth Senatorial District, from December 31, 1974, until December 31, 1975, and until his successor is duly appointed and qualified.

William Thomas, Waynesburg 15370, Greene County, Forty-sixth Senatorial District, from December 31, 1974, until December 31, 1975, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE PERRY COUNTY BOARD
OF ASSISTANCE

June 10, 1975

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 Russell Baker (Democrat), 301 Linden Avenue, Marysville 17053, Perry County, Thirty-third Senatorial District, for appointment as a member of the Perry County Board of Assistance, to serve until December 31, 1976, and until his successor is duly appointed and qualified, vice Mrs. Harriet Soule, resigned.

MILTON J. SHAPP

PUBLIC ASSISTANCE BOARD

March 10, 1975

PHILADELPHIA COUNTY

John Hubbard, 432 East Durham Street, Philadelphia 19119, Philadelphia County, Thirty-sixth Senatorial District, from December 31, 1974, until December 31, 1975, and until his successor is duly appointed and qualified.

Mrs. Elizabeth C. Mairer, 1353 East Lycoming Street, Philadelphia 19124, Philadelphia County, Fourth Senatorial District, from December 31, 1974, until December

31, 1977, and until her successor is duly appointed and qualified.

Miss Ann Rivera, 452 Green Lane, Philadelphia 19128, Philadelphia County, Thirty-sixth Senatorial District, from December 31, 1974, until December 31, 1976, and until her successor is duly appointed and qualified.

Eric Ward, 6656 Blakemore Street, Philadelphia 19119, Philadelphia County, Thirty-sixth Senatorial District, from December 31, 1974, until December 31, 1975, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator AMMERMAN,

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

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

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

NOMINATIONS TAKEN FROM THE TABLE

Senator AMMERMAN. Mr. President, I call from the table for consideration the nominations reported from committee today and previously read by the Clerk.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—49

Ammerman,	Hager,	Lynch,	Orlando,
Andrews,	Hankins,	Manbeck,	Reibman,
Arlene,	Hess,	McKinney,	Ross,
Bell,	Hill,	Mellow,	Scanlon,
Cianfrani,	Hobbs,	Messinger,	Smith,
Coppersmith,	Holl,	Moore,	Snyder,
Dougherty,	Howard,	Murphy,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Myers,	Sweeney,
Early,	Kury,	Noian,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CONSIDERATION OF CALENDAR RESUMED

REMAINING CALENDAR OVER IN ORDER

Senator NOLAN. Mr. President, I request at this time that we go over with the rest of the bills on the Calendar.

Senator FRAME. Mr. President, I object to Senate Bill No. 473, Printer's No. 931, on page 2 of the Calendar,

going over as it is on its tenth day and this would result under our Rules in an automatic recommittal.

The PRESIDENT. The Senate will be at ease for just a minute.

(The Senate was at ease.)

MOTION FOR CALENDAR OVER IN ORDER

Senator NOLAN. Mr. President, I move the rest of the Calendar over in its order.

On the question,

Will the Senate agree to the motion?

Senator FRAME. Mr. President, I oppose the motion for the reasons I have already indicated. It would be perfectly agreeable to put certain other measures over in the interest of time, but Senate Bill No. 473 is an attempt to attack the very serious crisis of the malpractice area. It has been before us for some days and in my opinion, should not be longer neglected by the Members of this Body. I note it is on its tenth day on the Calendar, so under our Rules, it would be automatically recommitted. For this reason I oppose this motion and ask my colleagues to vote against it.

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

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—29

Ammerman,	Kelley,	Murphy,	Reibman,
Arlene,	Kury,	Murray,	Ross,
Cianfrani,	Lewis,	Myers,	Scanlon,
Coppersmith,	Lynch,	Nolan,	Smith,
Duffield,	McKinney,	Noszka,	Stapleton,
Early,	Mellow,	O'Pake,	Sweeney,
Hankins,	Messinger,	Orlando,	Zemprelli,
Hill,			

NAYS—20

Andrews,	Fleming,	Holl,	Moore,
Bell,	Frame,	Howard,	Snyder,
Dougherty,	Hager,	Jubelirer,	Stauffer,
Dwyer,	Hess,	Lentz,	Tilghman,
Ewing,	Hobbs,	Manbeck,	Wood,

So the question was determined in the affirmative, and the motion was agreed to.

The PRESIDENT. The remaining bills on today's Calendar will go over in their order.

SENATE BILL RECOMMITTED

SB 473—In accordance with Senate Rule 2, Order of Business, as amended by Senate Resolution, Serial No. 13, Session of 1969, the bill was recommitted to the Committee on Insurance.

SENATE CONCURRENT RESOLUTION RECOMMITTED

Senate Concurrent Resolution, Serial No. 207—In accordance with Senate Rule 2, Order of Business, as amended by Senate Resolution, Serial No. 13, Session of 1969, the resolution was recommitted to the Committee on State Government.

UNFINISHED BUSINESS

REPORTS FROM COMMITTEES

Senator DUFFIELD, from the Committee on Law and

Justice, reported, as committed, **SB 545, 674, HB 70, 208, 516 and 910**; as amended, **SB 254 and 420**.

Senator **LYNCH**, from the Committee on Transportation, reported, as committed, **SB 418**; as amended, **SB 640, HB 242, 244 and 503**.

BILL REREFERRED

Senator **LYNCH**, from the Committee on Transportation, returned to the Senate **HB 563**, which was rereferred to the Committee on Business and Commerce.

SENATE RESOLUTION

RESOLUTION RECALLING FROM THE GOVERNOR CONFIRMATION OF NOMINATION FOR WILLIAM THOMAS FOR FURTHER CONSIDERATION

Senator **AMMERMAN**, on behalf of Senators **HOWARD, LEWIS**, and himself, offered the following resolution which was read, considered and adopted:

In the Senate, June 24, 1975.

RESOLVED, That the communication informing the Governor that the Senate confirmed his nomination of William Thomas, 420 Taylor Avenue, Newtown, Bucks County, Pennsylvania for appointment as District Justice of the Peace in and for the County of Bucks, Class 3, District 01, be recalled for further consideration.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Sister Miriam Teresa O'Donnell, R.S.M., by Senator Murray.

Congratulations of the Senate were extended to Reverend Charles W. Torrey by Senator Zemprelli.

BILLS ON FIRST CONSIDERATION

Senator **NOLAN**. 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 10, 254, 285, 418, 420, 434, 545, 592, 640, 674, 793, 794, 795, 796, 834, 835, HB 70, 208, 242, 244, 408, 477, 503, 516, 723, 813 and 910.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

Eastern
Daylight
Saving
Time

DATE AND COMMITTEE

Room

WEDNESDAY, JUNE 25, 1975

11:30 A.M.	INSURANCE to consider Senate Bills No. 885, 659 and 660	170
------------	---	-----

FRIDAY, JUNE 27, 1975

8:30 A.M.	URBAN AFFAIRS AND HOUSING Public Hearing on Senate Bills No. 29 and 457	Treadway Inn 1073 Highway 315 Wilkes-Barre, Penna.
-----------	--	---

TUESDAY, JULY 1, 1975

10:30 A.M.	JUDICIARY to consider Senate Bills No. 170, 410, 498, 537, 584, 585, 586 and House Bill No. 65	172
------------	---	-----

11:30 A.M.	LAW AND JUSTICE to consider Senate Bills No. 744, 745 and 832	Majority Caucus room
------------	---	----------------------------

MONDAY, JULY 7, 1975

11:00 A.M.	JUDICIARY Public Hearing on Senate Bill No. 383	Majority Caucus room
------------	---	----------------------------

THURSDAY, JULY 10, 1975

10:00 A.M.	CONSUMER AFFAIRS to investigate the PUC	Majority Caucus room
------------	--	----------------------------

ADJOURNMENT

Senator **NOLAN**. Mr. President, I move that the Senate do now adjourn until Wednesday, June 25, 1975, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 7:30 p.m., Eastern Daylight Saving Time.