

Legislative Journal

WEDNESDAY, JUNE 25, 1975

Session of 1975

159th of the General Assembly

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SENATE

WEDNESDAY, June 25, 1975.

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

The PRESIDENT pro tempore (Martin L. Murray) 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:

Gracious God, our Father in heaven, Who has created and sustained the ends of the Universe and Who has given man dominion over all things, we would invoke Your presence among us this day. Almighty God, Whose glory the heavens are telling, the earth Your power and the sea Your might and Whose greatness all feeling and thinking creatures proclaim, to You belongs the glory, the honor and the praise.

In the midst of our busy days and in the feverish round of activities, as our attentions are pulled in many directions and we feel the pressures of responsibility, we would pause to remember You. Help us in this fleeting moment to thrust aside our wandering thoughts and errant wills. Make us concentrate on You and sense the power of Your love in our lives.

Hear us, O God, as we bring before Thee the needs of our Commonwealth. Establish our political and social life in righteousness. Grant us peaceful times and prosperous industries. Bless our homes, our cities and our towns. Give to this deliberative Body, the Senate of Pennsylvania, the will to follow Your guidance and the wisdom to understand and act in the best interests of all the citizens. May we resolve our problems with sympathy, compassion and concern for the many competing groups within our society.

Receive our prayer we ask, and grant us such petitions as may be good for us. Amen.

JOURNAL APPROVED

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

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

GENERAL COMMUNICATION

RESOLUTION OF THE INDIANA LEGISLATURE

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

A CONCURRENT RESOLUTION supporting continued undiluted sovereignty of the United States and jurisdiction by the United States over the Panama Canal and the Panama Canal Zone on the Isthmus of Panama.

WHEREAS, United States diplomatic representatives are presently engaged in negotiations with representatives of the de facto revolutionary government of Panama, under a declared purpose to surrender to Panama, now or on future date, United States sovereign rights and treaty obligations in the Canal Zone;

The United States since 1903 has continuously occupied and exercised sovereign control over the Zone, constructed the Canal, and since 1914, for a period of 60 years, operated the Canal in a highly efficient manner without interruption, under the terms of the Hay-Pauncefote Treaty of 1901, the Hay-Bunau-Varilla Treaty of 1903, and the Thomson-Urrutia Treaty of April 6, 1914, making a total investment in the Canal, including defense, at a cost to the taxpayers of the United States of over \$5,695,-745,000;

The United States House of Representatives, on February 2, 1960, adopted House Concurrent Resolution 459, 86th Congress, reaffirming the sovereignty of the United States over the Zone territory by the overwhelming vote of 382 to 12, thus demonstrating the firm determination of our people that the United States maintain its indispensable sovereignty and jurisdiction over the Canal and the Zone;

Under Article IV, Section 3, Clause 2 of the United States Constitution, the power to dispose of territory or other property of the United States is specifically vested in the Congress, which includes the House of Representatives; and

The Panama Canal is essential to the defense and national security of the United States. It is of vital importance to the economy and interoceanic commerce of the United States with the remainder of the free world:

THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THE HOUSE OF REPRESENTATIVES CONCURRING:

SECTION 1. There be no relinquishment or surrender of any presently vested United States sovereign right, power, authority, or property, tangible or intangible, except by treaty authorized by the Congress and duly ratified by the United States.

SECTION 2. There be no recession to Panama, or other divestiture of any United States-owned property, tangible or intangible, without prior authorization by the Congress (House and Senate), as provided in Article IV, Section 3, Clause 2 of the United States Constitution.

SECTION 3. The Secretary of the Senate, under the seal of this state, send copies of this resolution to the President of the United States, Vice President of the United States, Secretary of State, Speaker of the House of Representatives, Senate Chairman of the Foreign Relations Committee, Chairman of the House Committee on Foreign Affairs, Chairman of the Senate Committee on Armed Forces, Chairman of the House Committee on Armed Forces, and to each member of the Indiana Delegation of the Congress of the United States; and that

copies of this resolution be sent to the presiding officers of the legislatures of the several states with requests for similar action.

Adopted by Voice Vote this 15th day of April, 1975.

JOSEPH W. HARRISON
State Senator
BETH VAN VORST GREENE
Secretary of the Senate

The PRESIDENT pro tempore. This resolution will be reported in the Journal.

CHANGE IN CONFERENCE COMMITTEE ON HB 182

The PRESIDENT pro tempore. As President pro tempore of the Senate of Pennsylvania, I hereby appoint the gentleman from Philadelphia, Senator Louis G. Hill, to replace the gentleman from Philadelphia, Senator Joseph F. Smith, as a member of the Conference Committee to study House Bill No. 182, due to Senator Smith's resignation from that Committee.

REPORTS FROM COMMITTEES

Senator NOLAN, from the Committee on Rules and Executive Nominations, reported, as amended, **HB 451**.

Senator HANKINS, from the Committee on Insurance, rereported, as amended, **SB 659** and **660**; reported, as committed, **SB 885**.

BILL INTRODUCED AND REFERRED

Senator DOUGHERTY presented to the Chair **SB 892**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for further exemption.

Which was committed to the Committee on Finance.

RECESS

Senator NOLAN. Mr. President, I move that we stand in recess until the call of the Chair.

Senator FRAME. Mr. President, may we be at ease for a moment?

The PRESIDENT pro tempore. The Senate will be at ease.

(The Senate was at ease.)

Senator FRAME. Mr. President, I would ask the indulgence of my colleagues in the Senate for a very, very short Republican caucus and ask that the Republican Members come to their caucus room just as promptly as possible.

The PRESIDENT pro tempore. The Democratic Senators will also have a five-minute caucus in the Rules Committee Room at the rear of the Senate Chamber.

This Senate will stand in recess for approximately ten minutes.

AFTER RECESS

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

RECONSIDERATION OF HB 307

BILL OVER IN ORDER ON FINAL PASSAGE

HB 307 (Pr. No. 1306)—Senator DUFFIELD. Mr.

President, I move that the Senate do now reconsider the vote by which House Bill No. 307, Printer's No. 1306, failed of final passage on June 23, 1975.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

Senator DUFFIELD. Mr. President, I request that House Bill No. 307 go over in its order and appear on tomorrow's Final Passage Calendar.

The PRESIDENT pro tempore. There being no objection, the bill will be placed on tomorrow's Final Passage Calendar.

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1334 (Pr. No. 1658)—Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 2, page 3, line 23, by striking out "costs" and inserting: population

Amend Sec. 2, page 3, line 24, by striking out "costs" and inserting: population

On the question,

Will the Senate agree to the amendments?

Senator FRAME. Mr. President, if these amendments are adopted, they would not change in any way the total sum distributed under this bill from the Federal revenue sharing trust fund for court costs, but they would change the formula under which the distribution would be made. Just as the amendments offered yesterday to the General Appropriations bill provided that the reimbursement for counties for court costs contained in that measure would be distributed in an equitable manner on the basis of population rather than cost, so would the amendments now before this Senate provide that this \$10 million in revenue sharing money in this bill for court costs be shared on a more equitable basis of the population of the counties. Such a sharing would, of course, relieve the taxpayers of many of the counties of the burden, much more relieve them and much more equitably relieve them.

Mr. President, yesterday we went through a number of the counties and gave specific dollar figures as to how that would work and the savings and relief it would bring to the taxpayers of those counties.

Mr. President, in the interest of brevity and since that matter is already on the record as to the full \$24 million provided to counties for court costs, in this bill and the General Appropriations bill together, I will not go through all of the counties by name. However, in all fairness to my colleagues to aid them in their consideration of this bill, if any of my colleagues do not have handy the information as to the savings this would bring to the counties they represent, I would be more than happy to answer any interrogation the Members might care to give me, particularly in regard to the Counties of Clarion, Clearfield, Cumberland, Fayette, Indiana, Jef-

erson, Delaware, Lackawanna, Northumberland, Westmoreland, Washington and Northampton. So if those figures are not clear in your minds, I would be glad to again make them available to you because they certainly are persuasive, I would think, as to the way in which some of my colleagues might wish to vote on these amendments.

Senator NOLAN. Mr. President, these are the same amendments that were offered to the General Appropriations bill yesterday, and which was defeated on the floor of the Senate.

I ask for a "no" vote again today.

Senator FRAME. Mr. President, may I only say in response to the Majority Leader's request, I think it is regrettable—I sympathize with my colleagues who feel that this is a procedural vote. It is not. It is a very substantive vote—that they have to vote a party line position with their leader to the detriment of the taxpayers they represent in their respective Senatorial Districts.

The PRESIDING OFFICER (W. Louis Coppersmith) in the Chair.

Senator LEWIS. Mr. President, I listened patiently yesterday while the gentleman from Venango, Senator Frame, explained the effects of these proposed amendments. I might be in a unique position by representing two counties, one of which would stand to benefit a great deal by the passage of these amendments and another one which would be hurt even more significantly if we accepted it. I listened because I was trying to find a rationale for the consideration by amendment of a bill that seemed to have such significant substantive consequences, whether it be in the allocation of additional funds to some counties for their court systems or the reduction by significant amounts of the allocation to other counties.

I think there are many, many questions that need to be looked into in regard to the entire allocation procedure for our court systems. I, for one, would welcome the opportunity to study this in some depth but I find it very frightful to be confronted with the situation now where I am being asked to vote on amendments that are going to substantially affect the entire criminal justice system in the Commonwealth of Pennsylvania.

Therefore, Mr. President, I rise in opposition to these amendments at this time and would ask the concurrence of all of my fellow Senators.

Senator FRAME. Mr. President, this issue and this formula has been given considerable study. In fact, at this particular desk we simply put this file back until next year, every year, and despite the study it has been given, we have never been able to get a more equitable formula considered by this Body. Actually, under the amendments that I am suggesting—I extend this for correction—I believe that everyone but two counties in the State would receive more money and thus lessen the taxpayers' burden. As to one of the two counties, Allegheny, the figure is not greatly significant although I can appreciate the concern of the Members from that county and particularly the problem of the Majority Leader who, like the gentleman from Bucks, also has a portion of two counties, one of which benefits greatly and the other diminishes slightly. Really, you can say that the inequities in this formula really reward high cost judicial systems and benefit only one county of the

sixty-seven to the detriment of all sixty-six other counties. However, such are the political realities of the situation in Pennsylvania's General Assembly, at the present time, where it was found expeditious to penalize sixty-six counties in order to secure the votes by benefiting the sixty-seventh county.

Senator BELL. Mr. President, I do not see this issue as idealistic as some of the other people in this august Chamber. This is merely dividing up a melon, and the share system by which it is divided is in front of us. That is the question.

I can assure the gentleman from Bucks, Senator Lewis, that he will not have another chance to vote on it in this Session because amendments such as the gentleman from Venango, Senator Frame, has proposed I question would ever see the light of day on the floor of the Senate.

Now we have a question of how much does your own District receive from the melon; do you receive a little thin slice or a big, fat slice? I agree with the gentleman from Bucks, Senator Lewis, that he sits on a dilemma because he is going to be hurt whichever way he votes. However, as far as my District, which is all in Delaware County, is concerned, I would like to have a larger share of the State money coming to my county than I presently receive, because this is all State money.

Again, using the melon concept, I suspect most people will vote for benefits to their District and not to pour State money into someone else's District.

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—24

Andrews, Bell, Duffield, Dwyer, Fleming, Frame,	Hager, Hess, Hobbs, Holl, Howard, Jubelirer,	Kelley, Kury, Lentz, Manbeck, Moore, Myers,	Snyder, Stapleton, Stauffer, Sweeney, Tilghman, Wood,
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NAYS—24

Ammerman, Arlene, Cianfrani, Coppersmith, Dougherty, Early,	Ewing, Hankins, Hill, Lewis, Lynch, McKinney,	Mellow, Messinger, Murphy, Murray, Nolan, Noszka,	Orlando, Reibman, Ross, Scanlon, Smith, Zemprell,
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So the question was determined in the negative, and the amendments were defeated.

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

On the question,
Shall the bill pass finally?

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

YEAS—48

Ammerman, Andrews, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield,	Frame, Hager, Hankins, Hess, Hill, Hobbs, Holl, Howard,	Lewis, Lynch, Manbeck, McKinney, Mellow, Messinger, Moore, Murphy,	Orlando, Reibman, Ross, Scanlon, Smith, Snyder, Stapleton, Stauffer,
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Dwyer, Early, Ewing, Fleming,	Jubelirer, Kelley, Kury, Lentz,	Murray, Myers, Nolan, Noszka,	Sweeney, Tilghman, Wood, Zemprelli,
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NAYS—0

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

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

BILL ON THIRD CONSIDERATION AMENDED

SB 249 (Pr. No. 249)—Considered the third time,

On the question,
Will the Senate agree to the bill on third consideration?
Senator DWYER, by unanimous consent, offered the following amendments:

Amend Title, page 1, line 6, by removing the period after "noncompulsory" and inserting: under certain circumstances.

Amend Sec. 1 (Sec. 503), page 1, line 20, by removing the period after "compulsory" and inserting: and the student may be withdrawn from kindergarten upon his parent's request.

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

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

BILL OVER IN ORDER

SB 260—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 291 (Pr. No. 872)—Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

Ammerman, Andrews, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield, Dwyer, Early, Ewing, Fleming,	Frame, Hager, Hankins, Hess, Hill, Hobbs, Holl, Howard, Jubelirer, Kelley, Kury, Lentz,	Lewis, Lynch, Manbeck, McKinney, Mellow, Messinger, Moore, Murphy, Murray, Myers, Nolan, Noszka,	Orlando, Reibman, Ross, Scanlon, Smith, Snyder, Stapleton, Stauffer, Sweeney, Tilghman, Wood, Zemprelli,
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NAYS—0

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

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

BILL RECOMMITTED

SB 419 (Pr. No. 968)—Upon motion of Senator NOLAN, and agreed to, the bill was recommitted to the Committee on Local Government.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 546 (Pr. No. 570)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—30

Andrews, Arlene, Cianfrani, Coppersmith, Dougherty, Duffield, Ewing, Fleming,	Frame, Hankins, Hill, Hobbs, Holl, Howard, Kelley, Lynch,	McKinney, Mellow, Murray, Nolan, Noszka, Orlando, Ross,	Scanlon, Smith, Stauffer, Sweeney, Tilghman, Wood, Zemprelli,
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NAYS—18

Ammerman, Bell, Dwyer, Early, Hager,	Hess, Jubelirer, Kury, Lentz, Lewis,	Manbeck, Messinger, Moore, Murphy,	Myers, Reibman, Snyder, Stapleton.
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

SB 572 (Pr. No. 875)—Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield, Dwyer, Early, Ewing, Fleming, Frame,	Hager, Hankins, Hess, Hill, Hobbs, Holl, Howard, Jubelirer, Kelley, Kury, Lentz, Lewis,	Lynch, Manbeck, McKinney, Mellow, Messinger, Moore, Murphy, Murray, Myers, Nolan, Noszka,	Orlando, Reibman, Scanlon, Smith, Snyder, Stapleton, Stauffer, Sweeney, Tilghman, Wood, Zemprelli,
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NAYS—2

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

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

SB 573 (Pr. No. 604)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

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

NAYS—2

Ammerman, Ross,

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

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

SB 601 (Pr. No. 636)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

SB 602 (Pr. No. 637)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

Ammerman,	Frame,	Lewis,	Orlando,
Andrews,	Hager,	Lynch,	Reibman,
Arlene,	Hankins,	Manbeck,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Cianfrani,	Hill,	Mellow,	Smith,
Coppersmith,	Hobbs,	Messinger,	Snyder,
Dougherty,	Holl,	Moore,	Stapleton,
Duffield,	Howard,	Murphy,	Stauffer,
Dwyer,	Jubelirer,	Murray,	Sweeney,
Early,	Kelley,	Myers,	Tilghman,

Ewing,	Kury,	Nolan,	Wood,
Fleming,	Lentz,	Noszka,	Zemprelli,

NAYS—0

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

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

SB 603 (Pr. No. 638)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

SB 604 (Pr. No. 639)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—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,	Nolan,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

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

SB 610 (Pr. No. 648)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—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,	Nolan,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

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

SB 662 (Pr. No. 706)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—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,	Nolan,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

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

SB 665 (Pr. No. 877)—Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—1

Ammerman,

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

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

SB 667 (Pr. No. 711)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—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,	Nolan,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

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

SB 668 (Pr. No. 712)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator BELL. Mr. President and my fellow Senators, I am going to vote "no" on this bill and five other bills which contain the same philosophy. These are all amendments to the respective municipal codes and it would permit, in lieu of advertising of a complete ordinance, advertising by means of a brief summary prepared by the solicitor, setting forth all the provisions in reasonable detail.

This infringes on the public's right to know what goes on in the respective councils and boards of commissioners and supervisors. I can think of a specific in my own borough. Not too long ago an ordinance apparently was passed making it a crime to have more than two cats and two dogs in a house. I read this in a news item. I have been watching for the legal advertisement, whether it meant two dogs and two cats or two dogs or two cats. This is important because I have two dogs and two cats.

I am putting this forward as an example of so many ordinances being passed by the commissioners, the supervisors and the councilmen which have criminal penalties in them that we must protect the public's right to know.

Therefore, Mr. President, I am going to vote "no" on this bill and the other five bills.

Senator STAUFFER. Mr. President, just a brief word in favor of the legislation. I think in response to the concerns of the gentleman from Delaware, Senator Bell, I

would point out to the membership that one of the requirements of the bill is that when the summary is sent to the newspaper, it is required that a full copy of the proposed ordinance be sent along with that. Therefore, this would be made available to the press so that they could publicize any questionable ordinances which might come forth.

I further point out that under the Sunshine Law all actions must take place at public meetings so that the public, the press, everyone, has a full opportunity to know exactly what is transpiring and what is being proposed.

I would further point out that in many, many instances a summary could be more beneficial to the general public than the usual full legal description or publishing of the ordinance because the average layman may find it difficult to understand legal language, whereas he could easily understand a clear and concise summary telling exactly what the ordinance does.

Therefore, Mr. President, on that basis I think it is legislation which we can all support.

Senator HAGER. Mr. President, very briefly, although I concur in just about everything the gentleman from Chester, Senator Stauffer, says, I must draw one distinction. I am familiar with the kind of summaries which you can get and they are not all clear and concise summaries.

I think there is too much opportunity for a clear and concise summary, in describing the rezoning, to put a shopping center some place, that it could be an ordinance rezoning several streets in the city of so-and-so.

For that reason, Mr. President, I am going to vote "no" on this bill.

Senator BELL. Mr. President, I would like to put into the record the fact that the town clerk or secretary could send a legal advertisement to one newspaper and a summary to another newspaper. They do not even have to go to the same newspaper.

As far as what is reasonable content when you summarize, in our own caucus it was pointed out that the title of an act contained in a bill is supposed to be a summary. If there is anything more confusing than some of these summaries, I do not know what it is. I would much prefer that my constituents know what is happening in these ordinances than what some lawyer desires to put in the newspaper.

And the question recurring,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Orlando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

A constitutional majority of all the Senators having

voted "aye," the question was determined in the affirmative.

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

SB 669 (Pr. No. 713)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Orlando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

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

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

SB 670 (Pr. No. 714)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Orlando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

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

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

SB 671 (Pr. No. 715)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Oriando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

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

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

SB 672 (Pr. No. 716)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Oriando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

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

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

SB 692 (Pr. No. 736)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

Ammerman,	Hager,	Lynch,	Oriando,
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,	Sweeney,	
Early,	Kury,	Nolan,	Tilghman,
Ewing,	Lentz,	Noszka,	Wood,
Fleming,	Lewis,	O'Pake,	Zemprelli,
Frame,			

NAYS—0

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

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

SB 707 (Pr. No. 752)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator BELL. Mr. President, this is another municipal code amendment concerning legal advertisement of ordinances and if it is acceptable to the Senate, may I suggest we take the same roll call as on Senate Bill No. 672?

And the question recurring,
Shall the bill pass finally?

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

YEAS—33

Ammerman,	Holl,	Murphy,	Ross,
Cianfrani,	Kelley,	Murray,	Scanlon,
Coppersmith,	Lewis,	Myers,	Smith,
Duffield,	Lynch,	Nolan,	Stapleton,
Ewing,	Manbeck,	Noszka,	Stauffer,
Fleming,	McKinney,	O'Pake,	Tilghman,
Frame,	Mellow,	Oriando,	Wood,
Hill,	Messinger,	Reibman,	Zemprelli,
Hobbs,			

NAYS—14

Andrews,	Early,	Jubelirer,	Moore,
Bell,	Hager,	Kury,	Snyder,
Dougherty,	Hess,	Lentz,	Sweeney,
Dwyer,	Howard,		

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

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

BILLS OVER IN ORDER

SB 711 and 712—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 720 (Pr. No. 870)—Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—49

Ammerman,	Hager,	Lynch,	Oriando,
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,	Nolan,	Tilghman,

Ewing,
Fleming,
Frame,

Lentz,
Lewis,

Noszka,
O'Pake,

Wood,
Zemprelli,

NAYS—0

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

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

HB 1207 (Pr. No. 1756)—Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—45

Ammerman,
Andrews,
Arlene,
Clanfrani,
Coppersmith,
Dougherty,
Duffield,
Dwyer,
Ewing,
Fleming,
Frame,
Hager,

Hankins,
Hess,
Hill,
Hobbs,
Holl,
Howard,
Jubelirer,
Kury,
Lentz,
Lewis,
Lynch,

Manbeck,
McKinney,
Mellow,
Messinger,
Moore,
Murphy,
Murray,
Myers,
Nolan,
Noszka,
O'Pake,

Orlando,
Reibman,
Ross,
Scanlon,
Smith,
Snyder,
Stapleton,
Stauffer,
Tilghman,
Wood,
Zemprelli,

NAYS—4

Bell, Early, Kelley, Sweeney,

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

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

PERMISSION TO ADDRESS SENATE

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

Senator O'PAKE. Mr. President, earlier in the Session, I was at a meeting outside my office and was unable to vote on several of the early bills that were voted upon. I would like the record to show, Mr. President, that had I been here on the floor I would have voted in the affirmative on House Bill No. 1334, Senate Bill No. 291, Senate Bill No. 572, Senate Bill No. 573, Senate Bill No. 601, Senate Bill No. 602 and Senate Bill No. 603.

The PRESIDING OFFICER. The remarks of the gentleman will be noted in the record.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 533—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 774 (Pr. No. 969), SB 823 (Pr. No. 897) and HB

1333 (Pr. No. 1558)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 402—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL OVER IN ORDER

SB 10—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 45 (Pr. No. 960)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 70—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 141 (Pr. No. 1757), HB 142 (Pr. No. 1790) and HB 153 (Pr. No. 1791)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 154 and SB 185—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 190 (Pr. No. 211)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 208—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 212 (Pr. No. 1754)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 242, 244, SB 254 and 285—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION AMENDED

HB 287 (Pr. No. 318)—The bill was considered.

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

Senator MELLOW offered the following amendments:

Amend Title, page 1, line 21, by removing the period after "statute" and inserting: and making editorial changes.

Amend Bill, page 1, by inserting between lines 23 and 24:

Section 1. The title, clause (f) of section 2, sec-

tions 4, 6, 7, and clauses (1) and (2) of section 11, act of July 9, 1959 (P. L. 510, No. 137), known as the "Pennsylvania Public Lands Act," the title amended July 18, 1968 (P. L. 424, No. 196), are amended to read:

AN ACT

An act relating to the public lands of the Commonwealth; defining such land; providing for the sale of vacant and unimproved public lands and the price to be paid therefor; providing for the conveyance of title to vacant and unappropriated public land to the Department of [Forest and Waters] Environmental Resources for forest culture, forest reservation, or State park purposes; providing for the conveyance of title to all public lands for which applications have been made or warrants issued and to all persons having rights by settlement and improvement upon payment of the purchase price; providing for the release of liens for unpaid purchase price in certain cases; preventing the granting of title to lands and islands in the bed of navigable rivers and streams declared by law to be public highways except in certain cases; and prescribing the duties of the Department of Community Affairs with respect to the administration of the public lands and the records thereof, including surveys of county and Commonwealth boundaries and documents having to do with early titles.

Section 2. Definitions.—The following words, terms and phrases, when used in this act, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

* * *

(f) "Department of [Forests and Waters] Environmental Resources" or "Secretary of [Forests and Waters] Environmental Resources" shall include its or his successor.

* * *

Section 4. Application for Warrant and Patent.—Subject to the right of the Department of [Forests and Waters] Environmental Resources to acquire and have the lands patented to the Commonwealth for forest culture, forest reservation or State park purposes, as provided by section 6 of this act, any person may make application for a warrant to have a survey made of any tract of vacant or unappropriated land and on the return thereof, together with proofs of advertisement, have a patent issued thereon to the named applicant by the department, with the approval of the Governor, provided any caveat entered is finally disposed of in favor of applicant and the applicant has complied with all applicable laws and regulations.

Section 6. Procedure; Department of [Forests and Waters.] Environmental Resources.—If the department finds the land to be vacant and unimproved or unappropriated and unimproved, and the applicant is not the Secretary of [Forests and Waters] Environmental Resources, the department shall notify the Secretary of [Forests and Waters] Environmental Resources of the application and the results of the investigation, whereupon it shall be the duty of the Secretary of [Forests and Waters] Environmental Resources to determine whether it is desirable and practicable to acquire such land for forest culture, forest reservation or State park purposes, and to make application if that is the case. If the Department of [Forests and Waters] Environmental Resources fails to make application for said lands within two months of the receipt of notice, the department shall notify the original applicant and, if the application is for vacant land, arrange

to cause the land to be appraised. The applicant shall give thirty days' notice of the filing of such application by publication once a week for three successive weeks in a newspaper of general circulation in the area where the land is situated and furnish proof of publication to the department.

Section 7. Application by Department of [Forests and Waters] Environmental Resources.—The application of the Department of [Forests and Waters] Environmental Resources for vacant unimproved or unappropriated unimproved land shall be signed by the Secretary of [Forests and Waters] Environmental Resources and be accompanied by an abstract with certificate and survey. On approval of the application, abstract, certificate and survey, a patent to the land shall issue, on approval of the Governor, to the Department of [Forests and Waters] Environmental Resources for forest culture, forest reservation or State park purposes, without the payment of purchase money, interest or fees.

Section 11. Prohibitions and Exceptions.—No application shall be accepted and no warrants, easements or other office rights shall be granted for any land or island lying in the beds of navigable rivers or in beds of streams which are by law declared to be public highways, except

(1) Warrants or other office rights may be granted and appraisals made on such lands as intervene between former islands for which patents have been granted, and the former mainland of navigable rivers, where such intervening lands form an obstruction to navigation, and are without the ordinary low water lines of such navigable rivers, as shown by the certificate of the United States Secretary of Defense or his successor. No such warrant, or other office right, shall be granted, unless and until written approval of the [Water and Power Resources Board of the Department of Forests and Waters] Department of Environmental Resources has been obtained, following the submission of formal application and plans to said board showing the manner in which the said lands within the flood water channel of the navigable river will be occupied and used, and the extent to which the flood carrying capacity of the channel will be reduced and modified: Provided, however, That preference in granting any such patent shall be given, with the approval of the Governor, to applications of owners of the land abutting the land intervening between the former islands to which patents have been granted and the former mainland of navigable rivers. Such patents, with the approval of the Governor, may be issued in accordance with any agreement entered into by all such landowners, providing for an allotment of the land intervening between the former islands.

(2) Easements may be granted for sewage treatment plants and intercepting sewer systems and facilities necessary and incidental thereto, under, across, and in the beds of navigable rivers or streams which are, by law, declared public highways for the purpose of diverting sewage and industrial wastes from said rivers or streams to sewage treatment plants, where permits for the construction thereof have been issued by, or by authorization of, the [Sanitary Water Board, the Water and Power Resources Board,] Department of Environmental Resources and the United States Secretary of Defense. The department shall, on application by any municipality authority or institution, make such grants to such municipality of such easements in the name of the Commonwealth, with the approval of the Governor, and in such form as shall be approved by the Attorney General without the

payment of purchase money, interest or fees. The department shall not be required to submit, to the Department of [Forests and Waters,] Environmental Resources, any copies of such applications as is required in applications for vacant lands generally. As used herein, "municipality authority or institution" means any county, county authority, municipality authority, city, borough, town, township, school district, and any healing, preventive mental health, educational, correctional and penal institution, almshouse and county and city homes, operated by the Commonwealth or a political subdivision thereof, the sewage from which is not admitted to a public sewer system.

* * *

Amend Sec. 1, page 1, lines 24 and 25, by striking out all of line 24, and "as the "Pennsylvania Public Lands Act," and inserting: Section 2. The act

On the question,

Will the Senate agree to the amendments?

They were agreed to.

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

SB 309 (Pr. No. 310)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MANBECK offered the following amendment and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 2 (Sec. 3), page 6, line 11, by inserting after "year.": All debt incurred for emergency capital projects shall mature within a period not to exceed the estimated useful life of the projects as stated in the authorizing law, and when so stated shall be conclusive.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

Ordered, To be transcribed for a third consideration.

BILLS ON SECOND CONSIDERATION

SB 312 (Pr. No. 313), HB 331 (Pr. No. 362), HB 364 (Pr. No. 401) and HB 387 (Pr. No. 1759)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 399, HB 408, 409, SB 418, 420, 434, HB 477, 496 and 503—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 508 (Pr. No. 527)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 516—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 519 (Pr. No. 538)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 545 and 553—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 556 (Pr. No. 587) and HB 560 (Pr. No. 956)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 592—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 596 (Pr. No. 631)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION AMENDED

SB 612 (Pr. No. 650)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator STAUFFER offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Title, page 1, line 4, by striking out "changing the" and inserting: further providing for

Amend Sec. 1 (Sec. 603), page 1, line 16, by inserting after "township.": Any change in salary, compensation or emoluments of office shall become effective at the beginning of the next term of the elected officer.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION

SB 634 (Pr. No. 673)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 640—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 650 (Pr. No. 689), HB 665 (Pr. No. 747), SB 666 (Pr. No. 710), HB 671 (Pr. No. 753) and SB 673 (Pr. No. 932)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 674 and **679**—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION AMENDED

HB 693 (Pr. No. 1072)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MURPHY offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Title, page 1, line 17, by inserting after "RESOURCES," the Department of Community Affairs,

Amend Sec. 1 (Sec. 1), page 3, line 18, by inserting after "RESOURCES," Department of Community Affairs.

On the question,

Will the Senate agree to the amendments?

Senator FRAME. Mr. President, I desire to interrogate the gentleman from Washington, Senator Murphy.

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

Senator MURPHY. I will, Mr. President.

Senator FRAME. Mr. President, will the gentleman offering the amendment explain the intent of the amendment?

Senator MURPHY. Yes, Mr. President. Under the constitutional amendment providing for the \$500 million bond issue, the functions have been divided between the various departments, and the department which determines the applications and the amount of reimbursement to communities for recreational projects has been left with the Department of Community Affairs. They have coordinated the Federal funds that have been available, the State funds and have accepted applications and approved them for various recreational projects during the past five or six years that this program has been in effect.

Mr. President, what is now being contemplated by this bill is an acceleration of the remaining funds that are available under the \$500 million bond issue. Inadvertently, I presume, the Department of Community Affairs was not included in the wording of the proposed bill.

I notice the Floor Leader now nodding his head in agreement and he perhaps understands without further explanation.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

Ordered, To be transcribed for a third consideration.

BILLS ON SECOND CONSIDERATION

SB 709 (Pr. No. 760), SB 710 (Pr. No. 878), SB 719

(Pr. No. 770) and **HB 722 (Pr. No. 819)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 723—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL REREFERRED

SB 738 (Pr. No. 967)—Upon motion of Senator MESSINGER, seconded by Senator FRAME, and agreed to, the bill was rereferred to the Committee on Environmental Resources.

BILLS OVER IN ORDER

SB 750, 793 and **794**—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 794 (Pr. No. 897)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 795 and **796**—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION AMENDED

SB 811 (Pr. No. 885)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator STAUFFER offered the following amendment and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 1 (Sec. 105.1), page 2, lines 1 through 4, by striking out "If a building or land use requirement of the" in line 1, and all of lines 2 through 4

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 813, SB 834 and **835**—Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 850 (Pr. No. 926), SB 851 (Pr. No. 927), SB 852 (Pr. No. 970), SB 881 (Pr. No. 961), SB 882 (Pr. No. 962), SB 883 (Pr. No. 971), HB 907 (Pr. No. 1792) and HB 908 (Pr. No. 1760)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 910—Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 973 (Pr. No. 1111) and **HB 1335 (Pr. No. 1560)**—Considered the second time and agreed to,
Ordered, To be transcribed for a third consideration.

UNFINISHED BUSINESS

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. James F. Morrison, Mr. and Mrs. Fred Benz, Mr. and Mrs. Chester England, Mr. and Mrs. Alvin B. Irwin, Mr. and Mrs. J. Walter Burris, Mr. and Mrs. R. J. Miller, Mr. and Mrs. Domenic Battisti, Mr. and Mrs. Paul Milburn, and to Mr. and Mrs. Wassel Cramer by Senator Jubelirer.

Congratulations of the Senate were extended to Mrs. Bertha L. Snyder by Senator Stapleton.

Congratulations of the Senate were extended to the Borough of Lititz by Senator Manbeck.

Congratulations of the Senate were extended to Mr. and Mrs. John Masuga, Sr., and to Miss Sherry Stouffer by Senator Murphy.

Congratulations of the Senate were extended to Mr. and Mrs. William C. Thompson and to Fire Chief John Haschke of Ross Township by Senator Early.

Congratulations of the Senate were extended to Mr. and Mrs. Raymond E. Wilt by Senator Early and many other Senators.

Congratulations of the Senate were extended to Mark Cimino and to Tim Cimino by Senator Nolan.

BILLS ON FIRST CONSIDERATION

Senator MESSINGER. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from Committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

SB 885 and **HB 451**.

And said bills having been considered for the first time,

Ordered, To be laid aside for second consideration.

PETITIONS AND REMONSTRANCES

Senator BELL. Mr. President, I call to the attention of the Chair what is an apparent error in the history of the Senate, and I am referring to page G-1, which is a number of Senate bills, resolutions, et cetera. This schedule gives the number of legislative days. For instance, as of Monday, according to this schedule, June 23rd was the thirty-fourth legislative day. June 17th was the thirty-third. Now, I do not know what happened to June 18th and 19th. I was on the floor of this Senate and the

proceedings were chaired by the gentleman from Northumberland, Senator Kury, last Thursday, but it is not listed as a legislative day, nor is Wednesday listed as a legislative day, and I suggest that corrective action be taken because of the history being incorrect.

Secondly, Mr. President, that is bad news, here is some good news. Tonight's newspaper, the Harrisburg Evening News, contains a legal advertisement. I will read it.

"Public Notice. Pursuant to the provisions of Act 175 July 19, 1974—" that is the Sunshine Law, by the way, "—notice is hereby given that a Joint House-Senate Conference Committee will meet to discuss House Bill 1336 and other budgetary bills as needed on Thursday, June 26 and Friday, June 27, at 9:00 a.m. in Room 246 Main Capitol Building."

Signed: "Vincent V. Scarcelli, Chief Clerk."

That outfit is really on the ball. They are advertising the meetings of the Conference Committee and there has not even been one appointed, and I did not know the House had rejected our Senate amendments, but this is really being alert.

The PRESIDING OFFICER. Perhaps the wish was father of the thought, Senator.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION

June 25, 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 Peter J. Camiel, 413 Spruce Street, Philadelphia 19106, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve until June 4, 1985, and until his successor is appointed and qualified, vice William Austin Meehan, Esquire, Philadelphia, whose term expired.

MILTON J. SHAPP

COMMISSIONER OF DEEDS

June 25, 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 Eugenia P. Leskie, 57 Country Club Road, Turnersville, New Jersey, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania with residence in the State of New Jersey, for the term of five years, to compute from the date of confirmation.

MILTON J. SHAPP

RECESS

Senator MESSINGER. Mr. President, I request a recess of the Senate until the call of the Chair.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until the call of the Chair.

AFTER RECESS

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

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

HOUSE MESSAGE

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 1336**.

BILLS SIGNED

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

HB 197, 1207, 1334 and 1336.

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

FRIDAY, JUNE 27, 1975

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

MONDAY, JUNE 30, 1975

2:00 P.M. LAW AND JUSTICE 186
to consider Senate Bill No. 832

TUESDAY, JULY 1, 1975

10:15 A.M. TRANSPORTATION Majority
to consider Senate Resolution Caucus
No. 22 and Senate Bills No. room
416, 417, 608, 862 and House
Bills No. 584 and 1138

10:30 A.M. JUDICIARY 172
to consider Senate Bills No.
170, 410, 498, 537, 584, 585,
586, 714 and House Bill No. 65

11:00 A.M. STATE GOVERNMENT 183
to consider Senate Bills No.
532, 600, 798, 800, 802, 812,
816, 829 and 831

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

12:00 Noon RULES AND EXECUTIVE Committee
NOMINATIONS meeting room

MONDAY, JULY 7, 1975

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

TUESDAY, JULY 8, 1975

LOCAL GOVERNMENT

THURSDAY, JULY 10, 1975

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

10:00 A.M. INSURANCE Majority
Public Hearing on Senate Caucus
Bill No. 885 room

FRIDAY, JULY 11, 1975

10:00 A.M. INSURANCE Majority
Public Hearing on Senate Caucus
Bill No. 885 room

ADJOURNMENT

Senator NOLAN. Mr. President, I move that the Senate do now adjourn until Monday, June 30, 1975, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:10 p.m., Eastern Daylight Saving Time.