

Legislative Journal

TUESDAY, JULY 8, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 42

SENATE

TUESDAY, July 8, 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 Father MICHAEL GUBANICH, Pastor of St. Clement's Catholic Church, Ellsworth, offered the following prayer:

Let us pray:

Father, as we open this Assembly this week, we thank You for the many blessings and aid You have given us in the past. Today we pray especially for trust and good faith. We need it. Our people have learned to mistrust so much, the word of so many leaders, the value of money, the strength of the institutions, the worthiness of their friends and the advice of their elders.

Help us to restore the deed of integrity and the word of truth until we have trust in each other because You are with us and we will not violate Your presence with any misdeeds, but conform our lives to Your will. Father, grant this request. Amen.

JOURNAL APPROVED

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

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

LEAVE OF ABSENCE

Senator WOOD asked and obtained leave of absence for Senator DWYER, for the week.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 460, 568 and 878**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 1278, 1480, 1487 and 1489**, which were referred to the Committee on Finance.

He also presented for concurrence **HB 1000, 1075 and**

1386, which were referred to the Committee on Law and Justice.

He also presented for concurrence **HB 537, 1022, 1302, 1521 and 1522**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 730 and 1347**, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1364**, which was referred to the Committee on State Government.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 366**.

BILL SIGNED

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

HB 366.

RECESS

Senator MESSINGER. Mr. President, I request a recess of the Senate for the purpose of a Democratic caucus, with instructions to the Democratic Senators to await a call to the caucus, with the expectation of returning to the floor at approximately 3:00 o'clock.

Senator WOOD. Mr. President, would you be kind enough to have someone summon the Republican Senators to caucus at 1:30 and remind them that we have a very special guest today.

The PRESIDENT pro tempore. The Chair will see that the Secretary notifies all the Republican Senators.

This Senate will stand in recess until 3:00 p.m.

AFTER RECESS

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate **SB 823**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

CONSIDERATION OF SB 823

Senator NOLAN. Mr. President, I ask unanimous

consent to consider Senate Bill No. 823, Printer's No. 1022, immediately.

The PRESIDENT pro tempore. The Chair hears no objection.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 823 (Pr. No. 1022)—Senator NOLAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 823.

On the question,

Will the Senate agree to the motion?

Senator FRAME. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Nolan.

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

Senator NOLAN. I will, Mr. President.

Senator FRAME. Mr. President, would the Majority Leader afford the Members a very brief explanation of this bill and the desirability, with which I completely agree, of moving it this promptly?

Senator NOLAN. Mr. President, may we be at ease for a minute?

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

(The Senate was at ease.)

Senator NOLAN. Mr. President, in answer to the gentleman from Venango, Senator Frame, Senate Bill No. 823 is the Motor License Fund bill. It is a general appropriation for the year 1975 for the payment of salaries, wages, travel expenses and other compensation. The House amended the bill and inserted, for the payment of wages and all necessary expenses for the proper administration of refunding of liquid fuels tax to volunteer fire companies, volunteer ambulance services and volunteer rescue squads. Refunding liquid fuels tax to the volunteer fire companies, volunteer ambulance services and volunteer rescue squads, those were the amendments placed in this bill by the House.

Senator ANDREWS. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Nolan.

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

Senator NOLAN. I will, Mr. President.

Senator ANDREWS. Mr. President, am I correct that the only change in this bill over what we previously passed in the Senate is on page 5, lines 3 through 10?

Senator NOLAN. Yes, Mr. President. That is what my copy of the bill shows.

Senator ANDREWS. Mr. President, I would then ask if my understanding is correct that we are allocating \$300,000 to be refunded to volunteer fire companies, ambulance services and rescue squads as a refund of their liquid fuels tax?

Senator NOLAN. That is correct, Mr. President.

Senator ANDREWS. Mr. President, following that we have \$75,000 for the salaries, wages and so forth to do this. Does it cost \$75,000 in administrative costs to return \$300,000 to these departments?

Senator NOLAN. Mr. President, that is what has been appropriated in this bill.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—48

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,
Early,	Kelley,	Mvers,	Sweeney,
Ewing,	Kury,	Nolan,	Tilghman,
Fleming,	Lentz,	Noszka,	Wood,
Frame,	Lewis,	O'Pake,	Zemprelli,

NAYS—0

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

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

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 307—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL RECOMMITTED

SB 793 (Pr. No. 857)—Upon motion of Senator NOLAN, and agreed to, the bill was recommitted to the Committee on Local Government.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 533 (Pr. No. 557)—Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

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

The PRESIDENT pro tempore. 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—26

Arlene,	Hobbs,	Nolan,	Scanlon,
Cianfrani,	Kury,	Noszka,	Smith,
Coppersmith,	Lewis,	O'Pake,	Sweeney,
Dougherty,	Lynch,	Orlando,	Tilghman,
Fleming,	McKinney,	Reibman,	Wood,
Hankins,	Messinger,	Ross,	Zemprelli,
Hill,	Murray,		

NAYS—22

Ammerman,	Frame,	Kelley,	Murphy,
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Andrews, Bell, Duffield, Early, Ewing,	Hager, Hess, Holl, Howard, Jubelirer,	Lentz, Manbeck, Mellow, Moore,	Myers, Snyder, Stapleton, Stauffer,
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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.

BILL ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER

HB 45 (Pr. No. 1918)—Considered the third time,

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

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator KELLEY. Mr. President, I move that House Bill No. 45 revert to the form it was in under Printer's No. 960.

On the question,
Will the Senate agree to the motion?
It was agreed to.

The PRESIDENT pro tempore. House Bill No. 45 will revert to prior Printer's No. 960, and the bill will go over in its order.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 141 (Pr. No. 1919)—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, 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, O'Pake,	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 142 (Pr. No. 1920)—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, 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, O'Pake,	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 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.

BILL ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER AND FINAL PASSAGE

HB 190 (Pr. No. 1921)—Considered the third time,

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

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator NOLAN. Mr. President, I move that House Bill No. 190 revert to the form it was in under Printer's No. 211 and, if agreed to, ask that the bill be considered immediately.

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

Senator NOLAN. Mr. President, I believe there is a copy of the bill with the prior printer's number on everybody's desk.

And the question recurring,
Will the Senate agree to the motion?
It was agreed to.

The PRESIDENT pro tempore. The Senate now has before it House Bill No. 190, Printer's No. 211.

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,	Hager, Hankins, Hess, Hill,	Lynch, Manbeck, McKinney, Mellow,	Orlando, Reibman, Ross, Scanlon,
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Cianfrani,
Coppersmith,
Dougherty,
Duffield,
Early,
Ewing,
Fleming,
Frame,

Hobbs,
Holl,
Howard,
Jubelirer,
Kelley,
Kury,
Lentz,
Lewis,

Messinger,
Moore,
Murphy,
Murray,
Myers,
Nolan,
Noszka,
O'Pake,

Smith,
Snyder,
Stapleton,
Stauffer,
Sweeney,
Tiighman,
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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL REREFERRED

HB 208 (Pr. No. 1132)—Upon motion of Senator NOLAN, and agreed to, the bill was rereferred to the Committee on Judiciary.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 242 (Pr. No. 1825)—Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator JUBELIRER. Mr. President, I rise in opposition to House Bill No. 242 and ask my colleagues to vote against this bill.

This bill and the next bill have been commonly referred to as the railroad bills. I come from, I think, the most concentrated railroad area in Pennsylvania and my county has always been considered the Railroad Capital of the World. Among many questions which might be asked is this: Why would somebody coming from a railroad area oppose a bill which ostensibly proposes certain safety features?

I think, Mr. President, that the features which are proposed are not necessary. I think that the safety features on the surface are not, in fact, the safety features that they pretend to be. I think House Bill No. 242, which provides a flagman, is an example of what has often been referred to as featherbedding.

I think that the precedent that this Body would set by passing this bill would be a dangerous one, Mr. President, for we, as a Body, would become the binding arbiter in a matter where collective bargaining has not been successful. I think when the Senate of Pennsylvania becomes involved in a situation where collective bargaining is not successful, it is a bad precedent to set.

I have tried diligently to research as much as I can about the facts on this particular bill and the one that follows. We have tried to find what separates the truth from the fiction. Naturally, you get your information from both sides. However, one thing that I am deeply concerned about is the number of jobs that potentially could be affected.

We in the Altoona area are now in the process of having 550 men laid off at the Juniata shops in Altoona and the Samuel Rea shops in Hollidaysburg. I am concerned that some 600 jobs could be lost if these two bills are passed—200 if this bill is passed and 400 if the

next bill is passed. I am concerned, as the trend of the law is today, that we take tremendous precautions to overprotect and we are overprotecting our economy out of a job situation.

I cannot vote for a bill that I am at least reasonably sure will cost my area a significant number of jobs. It will be at the expense of the people in Altoona who have suffered over the years from a very desperate situation in their economy. They have fought diligently. Their pride and pride alone has pulled them up by their boot straps. To have a bill which would cost some \$4 million, as this one would do, would create a situation where many jobs will be lost.

I think the particular issue in this bill is, is a flagman necessary? Is this bill really necessary? I submit, Mr. President, that the flagman under today's requirements is an obsolete feature, that modern, technical equipment, automatic block signals and centralized traffic control and two-way radios have long since replaced the flagman requirement.

I think, Mr. President, that by requiring a flagman to appear on the scene could cause a potential safety hazard. Under this situation where a flagman would be out there, the engineer could potentially ignore the block signal and rely on the human rather than on the technical matters that are far, far better under this situation.

I am concerned on page 2 of the bill, on line 26 which says, "When a train is moving under circumstances in which it may be overtaken by another train, a member of the crew must take such action as may be necessary to insure full protection. By night (or by day, when the view is obscured) lighted fusees must be dropped off the moving train or displayed at proper intervals."

I am concerned that the reading of this would create a situation where one could potentially be dropping fusees all the time and create a further hazard. There are many various reasons why I stand here in opposition to this and, I think, I have stated the major ones. However, Mr. President, I do ask that everyone examine whether it is, in fact, a function of the Legislature to enter into a situation which could call for collective bargaining as has been done in the past, and which could create a serious economic hardship in our Commonwealth.

Senator MURPHY. Mr. President, in answer to the gentleman from Blair, Senator Jubelirer, I would like to say it is the Legislature's business to enter into any field which protects the safety of its workers, the safety of its citizens and the safety of the property belonging to both. This amendment does not require the employment of any new personnel. Let me stipulate that at the present time every train that operates in the Commonwealth of Pennsylvania and yes, in the United States, is compelled to carry a flagman and station that flagman on the train. The only thing that this bill does is compel that the flagman, when the train is stopped, leave the train and go back and protect the rear end of that train and its employees from a rear-end collision.

Mr. President, the Penn Central, when they opposed this, and they submitted one document, their only opposition and argument appears to be that it will delay the train by approximately an average of twelve minutes. I say to them that if the damages indicated in some of

the photographs which I possess could be prevented—and I see crushed and mangled and torn steel and iron—by a delay of twelve minutes, then that is what we should compel. We are not requesting that any new employees be stationed on any train; we are only requesting that the employee that is on that train be permitted and commanded to leave the train and go back and protect the rear end.

Mr. President, since 1965 we have had forty-six major collisions caused by rear-enders on the railroads in Pennsylvania, seven fatalities and countless of millions of dollars of damages.

Now you might ask the same question I asked the House Members who sponsored this bill: Why do you have to compel a man to go back and protect that train when he is on it?

The sponsors told me: Because at the present time the employer will not allow that flagman to do his duty.

They have impressed this upon him: "If you leave that train and it is ready to leave, you will be left and you will be docked your pay and you will find your own way back home because we do not want to afford the average twelve minutes loss."

That is why it must be in statute and that is why I request you to vote "yes" in favor of this bill.

Senator SWEENEY. Mr. President, I concur with the remarks of the gentleman from Washington, Senator Murphy.

Mr. President, I desire to interrogate the gentleman from Blair, Senator Jubelirer.

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

Senator JUBELIRER. I will, Mr. President.

Senator SWEENEY. Mr. President, could the gentleman be more specific in clarifying his comments concerning the loss of employment of 200; actually I think it is 600 employees.

Senator JUBELIRER. Mr. President, it is in the two bills. The cost of House Bill No. 242 is some \$4 million. I went to the Penn Central Railroad and I said, "Will this bill cost any jobs?"

I asked them to document for me whether in fact that would happen. They presented to me a document which said that in order to meet the expenditure of House Bill No. 244, they would be required to abolish 400 jobs in order to generate the funds to pay for the installation, and 200 jobs in order to comply with House Bill No. 242. I asked whether any of those jobs would be in my District, particularly in Blair County where we have a large railroad population, and they said, proportionately it would do so. This is all I have to go on. They are the ones who hire and lay off and, as I say, I have the document here for your perusal and that is certainly a concern that we have.

Senator SWEENEY. Mr. President, what, in effect, the gentleman from Blair is indicating is that he has taken the figures in the report of the railroad and has presented that as documentary evidence that there will, in fact, be a reduction of 600 jobs.

Do I understand that correctly?

Senator JUBELIRER. Mr. President, that is correct. If the gentleman from Delaware, Senator Sweeney, has any other way to get it, I would certainly be glad to

know where. I went to management, who is the one who lays off and hires.

Senator SWEENEY. Mr. President, the fact that motivated my inquiry was the representation made by the gentleman from Blair, Senator Jubelirer, that he gave careful consideration and evaluation to this bill in making certain determinations, and I thought this was a most significant determination when one makes a comment that 600 jobs will be lost and represents that as a fact. I would conclude from his remarks that the loss of 600 jobs is not a fact but is an opinion expressed by the railroad.

Senator JUBELIRER. Mr. President, sometimes it is very difficult to find what the truth is, and I think we all in this Body try to seek the truth. I was presented the information referred to by the gentleman from Washington, Senator Murphy; I have the documented pictures that he referred to and we certainly are allowed full freedom to use all the hearsay that we are not allowed to use in a court of law. Sometimes it is the only information that we have. I looked at the pictures and certainly they were pictures that were not very pleasant. But, in my research, I found nowhere, from the unions or management, where the success of this bill, House Bill No. 242, would in fact have prevented the accidents that did happen; nowhere am I able to find documented evidence that would say if we have the flagman bill, these accidents will not happen any more. My concern again is that we have a very difficult situation in the industry as it is today. I would not sacrifice any safety for any man's life. I do not think there is anything as important as that life, but I have not had proof to me under any way, shape or circumstances, from all the information that has been given to me from all sides, that this bill would, in fact, be a safety feature and would prevent these accidents. In essence, what appears to me is that if not the feather bedding now, it lays the groundwork, as many of the editorial writers have said, for future feather bedding; it further lays the groundwork for collective bargaining as a binding arbitrator by this Body and it would create a tremendous expense that could cost us serious jobs in a very, very haphazard economy.

Senator SWEENEY. Mr. President, I would like to summarize again the conclusion which I drew from the comments of the gentleman from Blair, Senator Jubelirer.

As to his comments concerning safety and collective bargaining, I made no reference to those. The point I was attempting to isolate is his initial observation that 600 jobs would be lost if this particular legislation was enacted.

Based on his representations, he cannot establish that as a fact. He predicates those comments on information furnished him by the railroad which has a vested interest in the defeat of these bills. That is the point I am attempting to make.

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

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

Senator MURPHY. I will, Mr. President.

Senator MANBECK. Mr. President, during the gentleman's debate he indicated that the flagman is required to leave the train to protect the rear end of the train.

Senator MURPHY. At the present time, Mr. President, the flagman is not permitted by his employer to leave the train unless he can get back on the train without notification to him that the train is leaving. If he is fleet of foot he can get back on. He is not precluded or prohibited from leaving the train, but he had better be on it when it pulls out.

Senator MANBECK. Mr. President, if we pass this legislation, on page 2, we see, when a train stops under circumstances in which it may be overtaken by another train, the flagman is supposed to get off the train and protect the rear end. What is the speed of a train traveling on an open track?

Senator MURPHY. Mr. President, I suppose whatever head of steam he can build up.

Senator MANBECK. Mr. President, how far must a flagman travel in back of the train to sufficiently notify the oncoming engineer that there is a train stopped on the track?

Senator MURPHY. Mr. President, it would seem to me he would have to be 600 feet to 1,000 feet, at least, beyond the rear end of the train.

Senator MANBECK. Mr. President, do trains travel at the rate of sixty miles per hour?

Senator MURPHY. Mr. President, some of them do.

Senator MANBECK. Mr. President, what distance would it take a train to stop if they were traveling at sixty miles an hour?

Senator MURPHY. Mr. President, I do not know. It would probably take one mile.

Senator MANBECK. Mr. President, someone has said about two miles.

Senator MURPHY. Mr. President, I do not think it would take that long.

Senator MANBECK. Mr. President, the gentleman indicated it would take about twelve minutes for the flagman to get back to the train and board it.

Senator MURPHY. Mr. President, the estimate of the Penn Central in their testimony before the Committee on Transportation yesterday was that it would cause a delay averaging twelve minutes, with some delays going as long as twenty minutes. I suppose it would depend on what section of track you are in; whether you are on a main line, whether you are pulling into a yard or whether you have another clear line. This would have to be determined by the crew at any given circumstance.

Senator MANBECK. Mr. President, would every instance have to be determined by the crew and would the crew leader make that determination?

Senator MURPHY. Mr. President, the conductor or flagman would probably be charged with that responsibility.

Senator MANBECK. Mr. President, who is in charge of the crew on a train and what are the titles of the train crew?

Senator MURPHY. Mr. President, it is my understanding that the conductor is in charge of the crew, and he has an engineer, a brakeman and a flagman.

Senator MANBECK. Mr. President, who is in control of the engine?

Senator MURPHY. Mr. President, the engineer would be in control of the engine.

Senator MANBECK. Mr. President, the engineer is in control of the engine?

Senator MURPHY. That is correct, Mr. President.

Senator MANBECK. Mr. President, would the conductor be in the caboose or in the cab?

Senator MURPHY. Mr. President, he should be in the caboose, but not necessarily so.

Senator MANBECK. Mr. President, how would he communicate with the crew?

Senator MURPHY. Mr. President, they have radio communication and also hand signal communication. The flagman who would be allowed to go back along the track would have a hand communication.

Senator MANBECK. Mr. President, the point I am making is, if the engineer is the man in charge of operating the engine and the conductor would be in the caboose, I am wondering how he would see the flares which were put out to notify the engineer that there was another train on the track.

Senator MURPHY. Mr. President, I am speaking of the engineer who is in the disabled cab, who is in the disabled engine. He is in the front of the train. The gentleman is talking of the one coming on behind the train?

Senator MANBECK. Mr. President, I am talking about the one coming on from the rear.

Senator MURPHY. Mr. President, it is the engineer's duty to see that he has a clear track ahead, to watch the signals, to watch for flares and watch for a stationed flagman, we hope.

Senator MANBECK. Mr. President, can the gentleman tell me whether this would be the proper item to negotiate in labor negotiations?

Senator MURPHY. Mr. President, possibly it could be a proper item to be negotiated.

Senator MANBECK. Mr. President, have they negotiated this item?

Senator MURPHY. Mr. President, I understand they have attempted to negotiate it. However, there was a rule by the Public Utility Commission which provided this several years ago. It was rescinded in 1965 I think.

Senator MANBECK. Mr. President, who rescinded that order?

Senator MURPHY. Mr. President, the gentleman would have to ask my former Washington Countian, Mr. Bloom. I understand the PUC rescinded it.

Senator MANBECK. Mr. President, can the gentleman tell us when the PUC instituted that rule?

Senator MURPHY. Yes, Mr. President.

Senator MANBECK. Mr. President, when was that?

Senator MURPHY. Mr. President, I am not sure when the rule was in effect, but it was rescinded in 1965.

Senator MANBECK. Mr. President, which court overruled it?

Senator MURPHY. It was not a court, Mr. President, it was the PUC.

Senator MANBECK. Mr. President, the PUC ordered the rule disbanded?

Senator MURPHY. That is correct, Mr. President. Either that or they were ordered to disband it.

Senator MANBECK. Mr. President, how many accidents have happened since that time?

Senator MURPHY. Mr. President, I have been advised by my legal counsel that the PUC was ordered by a particular court because it interfered with the block signal law. What we are trying to do now by statute is sustain what the PUC attempted to do in Rule 99.

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

man. To my colleagues I would like to say that I personally believe this is a feather bedding piece of legislation. I certainly would not want to support legislation which could be harmful to the people operating the trains. However, I firmly believe that this is an item which should be negotiated in labor contracts.

Senator MOORE. Mr. President, in brief rebuttal to the comments made by my colleague from Delaware, Senator Sweeney, and in support of the comments made by the gentleman from Blair, Senator Jubelirer, the fact is, very simply, that we are referring here to a single railroad when we say that the passage of House Bill No. 242 and House Bill No. 244 would bring about the loss of approximately 600 jobs. This railroad, the Penn Central, says that if we pass these bills, the cost of implementing them will necessitate the cutback of these employees. Whether we agree with this or not is not the question; the fact is they are in a position to do just that.

Senator BELL. Mr. President, I sat through the public hearings yesterday and heard the railroad experts testify, and I was impressed by one thing: Something happened back in 1965 that stopped a flagman going out behind a train to protect the people on the train and the people on that oncoming train. I do not know whether it was the invention of walkie-talkie radios, which my colleague from Blair, Senator Jubelirer, referred to, or the radios on the trains, but I was shocked when the Penn Central man said most of the radios would not work. So I am going to go back to just plain common sense, which all of us have and all of us differ in on our views; I am just thinking of being on a commuter train in my District, held up by a block signal, when a train approaching from the rear plows into my train. Regardless of radios that do work, regardless of block signals, I think I would want that flagman out behind me protecting myself. I am a little selfish with this point of view, but I am putting myself in the position of the people riding those commuter trains in the Philadelphia area and I think we should have the flag protection.

Senator JUBELIRER. Mr. President, in response to my good colleague from Delaware, Senator Bell, I would say before he gets hit he might want to travel another railroad because this bill does not apply to commuters. It has been amended out and we are only talking of the other railroads. Again, I would reiterate that situation.

Senator BELL. Mr. President, I should say "touche." I will then refer to the freight trains in my District that, every now and then, get off the track and every now and then another person living near a freight line is killed. I assume freight trains also can get hit in the rear if they do not have a flagman.

Senator HOBBS. Mr. President, I think perhaps we are losing sight of the main purpose of this bill and the only purpose. It is not jobs. We are talking about lives and very serious personal injuries which have occurred in the past. How do you measure a life? You do not measure it in dollars and cents; therefore, I feel this is needed legislation. Even if it saves one life, Mr. President, it is worth our affirmative vote.

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

The PRESIDENT pro tempore. Will the gentleman

from Washington, Senator Murphy, permit himself to be interrogated?

Senator MURPHY. I will, Mr. President.

Senator ANDREWS. Mr. President, I believe the gentleman in his initial remarks on this bill stated it would not require any new employment in that there were already flagmen on the train who were not permitted to leave the train and would now be able to go back on the track. Is that correct?

Senator MURPHY. That is correct, Mr. President.

Senator ANDREWS. Mr. President, then I would ask with reference to page 2, line 24, who is going to then guard the front of the train? It states there the front of the train must be protected in the same way, when necessary, by a member of the crew.

Senator MURPHY. Mr. President, the brakeman generally rides in the front of the train.

Senator ANDREWS. Mr. President, there are sufficient people then to take care of both the front and rear?

Senator MURPHY. Mr. President, that would be the conductor and flagman generally in the rear and the brakeman and engineer in the front. They would not let us keep the firemen. We used to have firemen.

Senator ANDREWS. Mr. President, then I would point out to the gentleman line 26, on page 2 it says:

"When a train is moving under circumstances in which it may be overtaken by another train . . ."

Mr. President, I would ask what the definition of that might be, since it is not specified in the bill, when a train is moving under circumstances when it could be overtaken?

Senator MURPHY. Mr. President, that would be any circumstance in which the conductor and crew in the front train believe there is some danger that they will be overtaken, such as the loss of power, the breaking of a fuel line, the missing rail, work crews out, or some other circumstance that may be along the track somewhere that causes them to reduce their speed or stop and they could then be overtaken.

Senator ANDREWS. Mr. President, it does not state any of those contingencies in this section. It would seem to me that any train moving, no matter how fast, could be conceivably overtaken by a train behind it going faster. Could that not be true, Mr. President?

Senator MURPHY. It would seem to me, Mr. President, that we must assume that the trainmen are much more qualified at their jobs than we are in attempting to interpret what their jobs are. We must rely on the train crew to determine what circumstances exist at that time and whether or not, as a result of those circumstances, they are under some danger of being overtaken by a train following them on the same track somewhere in the rear. It would be inconceivable that we would attempt to outline all of those circumstances to do that. We are Legislators, not train personnel.

Senator ANDREWS. Mr. President, I ask the gentleman, since we are not outlining all the various contingencies—and I quite agree it would be impossible—whose decision is it to determine whether that train is in any danger? It appears to me that Section 1 (5) of this bill could be interpreted as saying any train moving along the track that has another train, no matter what distance behind it might be, must throw out lighted fuses at night at proper intervals. I just question the way in which this particular section is drafted.

Senator MURPHY. Mr. President, I take that as an argument, not as a question.

Senator ANDREWS. Mr. President, could it not be interpreted that way?

Senator MURPHY. I do not believe so, Mr. President. I think the bill is properly drafted. I think we are leaving the discretion and the circumstances with the conductor who is in charge of the crew and the flagman, of course, to do his duties on the dispersal of the warning lights that he will give.

Senator BELL. Mr. President, merely to clarify the record, the only time the passenger trains are not under this is when they are making normal station stops.

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—31

Ammerman, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield, Early,	Hankins, Hobbs, Kelley, Kury, Lewis, Lynch, McKinney, Mellow,	Messinger, Murphy, Murray, Nolan, Noszka, O'Pake, Orlando, Reibman,	Ross, Scanlon, Smith, Stapleton, Sweeney, Wood, Zemprelli,
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NAYS—17

Andrews, Ewing, Fleming, Frame, Hager,	Hess, Hill, Holl, Howard,	Jubelirer, Lentz, Manbeck, Moore,	Myers, Snyder, Stauffer, Tilghman,
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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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 244 (Pr. No. 1826)—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—31

Ammerman, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield, Early,	Hankins, Hobbs, Kelley, Kury, Lewis, Lynch, McKinney, Mellow,	Messinger, Murphy, Murray, Nolan, Noszka, O'Pake, Orlando, Reibman,	Ross, Scanlon, Smith, Stapleton, Sweeney, Wood, Zemprelli,
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NAYS—17

Andrews, Ewing, Fleming, Frame, Hager,	Hess, Hill, Holl, Howard,	Jubelirer, Lentz, Manbeck, Moore,	Myers, Snyder, Stauffer, Tilghman,
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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 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.

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 AMENDED

SB 309 (Pr. No. 991)—Considered the third time,

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

EARLY AMENDMENT

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

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 19 and 20: Any contract for the design, construction, reconstruction, maintenance, operation or servicing of any capital project to be financed under the provisions of this act shall be with the lowest responsible bidder, upon proper terms, after due public notice has been given asking for competitive bids.

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

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

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

Senator EARLY. I will, Mr. President.

Senator KELLEY. Mr. President, do I understand correctly that the proposed amendment is to require bidding in emergency situations?

Senator EARLY. That is correct, Mr. President.

Senator KELLEY. Mr. President, if I may, I would like to suggest, as a matter of consistency, the same kind of requirements which the legislative bodies have imposed on municipal governments. There are exclusions then in emergency situations from the usual bidding procedures.

I believe by the very fact that we give recognition to an emergency condition, it would exclude the necessity of going to the lowest responsible bidder and going through the process of bidding, because the emergency, itself, preempts that.

Mr. President, I am against the amendment.

And the question recurring,
Will the Senate agree to the Early amendment?
It was agreed to.

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

NOLAN AMENDMENTS

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

Amend Sec. 1 (Sec. 2), page 1, line 23 by striking out "program"

Amend Sec. 1 (Sec. 2), page 2, line 28 by inserting after "entitled": as amended.

Amend Sec. 1 (Sec. 2), page 3, line 7 by inserting after "domain;": providing for the setting off of benefits;

Amend Sec. 1 (Sec. 2), page 3, line 9 by inserting after "townships;": and

Amend Sec. 1 (Sec. 2), page 3, lines 10 and 11 by striking out "Highways and the Department of Property and Supplies." and inserting: Highways."

On the question,

Will the Senate agree to the Nolan amendments? They were agreed to.

And the question recurring,

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

FRAME AMENDMENTS

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

Amend Sec. 1 (Sec. 2), page 3, line 11, by striking out "Supplies." and inserting: Supplies." pursuant to the amendatory act of December 3, 1970 (P.L. 834, No. 275), which transferred the functions of the Water and Power Resource Board to the Department of Environmental Resources.

Amend Sec. 1 (Sec. 2), page 2, line 25, by striking out "Water and Power Resources Board" and inserting: Department of Environmental Resources

On the question,

Will the Senate agree to the Frame amendments? They were agreed to.

And the question recurring,

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

RECONSIDERATION OF EARLY AMENDMENT

Senator MELLOW. Mr. President, is it possible to have a roll call vote on the first amendment which was offered by the gentleman from Allegheny, Senator Early?

CHAIR REVERSES DECISION

The PRESIDENT pro tempore. The Chair reverses its decision that the amendment was agreed to. Senator Mellow has requested a roll call vote on Senator Early's amendment.

The Clerk reread the Early amendment:

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 19 and 20: Any contract for the design, construction, reconstruction, maintenance, operation or servicing of any capital project to be financed under the provisions of this act shall be with the lowest responsible bidder, upon proper terms, after due public notice has been given asking for competitive bids.

On the question,

Will the Senate agree to the Early amendment?

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

YEAS—16

Bell, Early, Ewing, Hager,	Hess, Holl, Howard, Jubelirer,	Lentz, Nolan, O'Pake, Reibman,	Snyder, Stauffer, Sweeney, Wood,
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NAYS—32

Ammerman, Andrews, Arlene, Cianfrani, Coppersmith, Dougherty, Duffield, Fleming,	Frame, Hankins, Hill, Hobbs, Kelley, Kury, Lewis, Lynch,	Manbeck, McKinney, Mellow, Messinger, Moore, Murphy, Murray, Myers,	Noszka, Orlando, Ross, Scanlon, Smith, Stapleton, Tilghman, Zemprelli,
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So the question was determined in the negative, and the amendment was defeated.

The PRESIDENT pro tempore. Senate Bill No. 309 will go over in its order, as amended.

BILLS OVER IN ORDER

HB 409, 451 and 503—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 516 (Pr. No. 1567)—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, Andrews, Arlene, Bell, Cianfrani, Coppersmith, Dougherty, Duffield, 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, O'Pake,	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 674—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL RECOMMITTED

SB 679 (Pr. No. 723)—Upon motion of Senator NOLAN, and agreed to, the bill was recommitted to the Committee on Business and Commerce.

BILL REREFERRED

SB 693 (Pr. No. 1011)—Upon motion of Senator NOLAN, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER AND FINAL PASSAGE

SB 750 (Pr. No. 879)—Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator MURPHY. Mr. President, I move that Senate Bill No. 750 revert to the form it was in under Printer's No. 811 and, if agreed to, ask that the bill be considered immediately.

On the question,

Will the Senate agree to the motion?

It was agreed to.

The PRESIDENT pro tempore. The Senate now has before it Senate Bill No. 750, Printer's No. 811.

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,	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,
Early,	Kelley,	Myers,	Sweeney,
Ewing,	Kury,	Nolan,	Tilghman,
Fleming,	Lentz,	Noszka,	Wood,
Frame,	Lewis,	O'Pake,	Zemprelli,

NAYS—0

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 832 (Pr. No. 908)—Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—42

Ammerman,	Hankins,	McKinney,	Orlando,
Andrews,	Hess,	Mellow,	Ross,
Arlene,	Hill,	Messinger,	Scanlon,
Cianfrani,	Hobbs,	Moore,	Smith,
Coppersmith,	Holl,	Murphy,	Snyder,
Dougherty,	Howard,	Murray,	Stapleton,
Duffield,	Kelley,	Myers,	Sweeney,
Ewing,	Kury,	Nolan,	Tilghman,
Fleming,	Lentz,	Noszka,	Wood,

Frame, Hager,	Lynch, Manbeck,	O'Pake,	Zemprelli,
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NAYS—6

Bell, Early,	Jubelirer, Lewis,	Reibman,	Stauffer,
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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.

BILL OVER IN ORDER

SB 850—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL ON THIRD CONSIDERATION AMENDED

SB 851 (Pr. No. 927)—Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

KELLEY AMENDMENT

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

Amend Sec. 1 (Sec. 25), page 2, line 3, by inserting after "of": not more than

On the question,

Will the Senate agree to the Kelley amendment?

It was agreed to.

On the question,

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

NOLAN AMENDMENT

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

Amend Sec. 1 (Sec. 25), page 2, lines 12 through 14, by striking out "for which purposes" in line 12, all of lines 13 and 14 and inserting: in addition to other local health grants for public health services.

On the question,

Will the Senate agree to the Nolan amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 852 and 863—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 864 (Pr. No. 944)—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

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

NAYS—2

Andrews, Hager,

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 865, 881, 882 and 883—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 907 (Pr. No. 1922)—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,	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,
Early,	Kelley,	Myers,	Sweeney,
Ewing,	Kury,	Nolan,	Tilghman,
Fleming,	Lentz,	Noszka,	Wood,
Frame,	Lewis,	O'Pake,	Zemprelli,

NAYS—0

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

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

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:

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

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 State Board of Barber Examiners:

LeRoy D. Cameroni, 2627 Pennsylvania Avenue, Erie 16504, Erie County, Forty-ninth Senatorial District, to serve until the third Tuesday of January, 1979, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP

March 10, 1975

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

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE SCHOOL AND HOSPITAL

March 10, 1975

Mrs. Rosemary M. Flannery, 666 Midway Lane, Blue Bell 19422, Montgomery County, Twenty-fourth Senatorial District, from December 10, 1974, until the third Tuesday of January 1979, and until her successor is appointed and qualified.

Mrs. Marjorie Kalish, 221 Wyncote Road, Jenkintown 19046, Montgomery County, Twelfth Senatorial District, from December 20, 1974, until the third Tuesday of January 1977, and until her successor is appointed and qualified.

Leonard Newman, 52 Birch Drive, Levittown 19054, Bucks County, Tenth Senatorial District, from December 10, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Robert Sauders, 24 Fruitree Road, Levittown 19056, Bucks County, Tenth Senatorial District, from December 10, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

MEMBER OF ENVIRONMENTAL HEARING BOARD

March 10, 1975

Joseph L. Cohen, Esquire, 262 North Dithridge Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, from December 13, 1974, until June 20, 1977, or until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HAVERFORD STATE HOSPITAL

March 10, 1975

Dr. Charles P. Cella, 2232 Steel Road, Drexel Hill, Delaware County, Twenty-sixth Senatorial District, from December 13, 1974, until the third Tuesday of January 1977, and until his successor is appointed and qualified.

Mrs. Evelyn Hess, 132 Academy Road, Clifton Heights 19018, Delaware County, Ninth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until her successor is appointed and qualified.

Mrs. Marie H. Townsend, 111 Buck Lane, Haverford 19041, Delaware County, Seventeenth Senatorial District, from December 13, 1974, until the third Tuesday of January 1977, and until her successor is appointed and qualified.

MEMBERS OF THE ADVISORY HEALTH BOARD

March 10, 1975

Ms. Sharon March (Public Member), 203 South Potomac Street, Waynesboro 17268, Franklin County, Thirty-third Senatorial District, from January 6, 1975, until the third Tuesday of January 1976, or until her successor has been appointed and qualified.

Mrs. Jean A. Williams, R.N., 2200 Park Hill Drive, Pittsburgh 15221, Allegheny County, Thirty-eighth Senatorial District, from December 17, 1974, until the third Tuesday of January 1978, or until her successor has been appointed and has qualified.

MEMBERS OF THE PENNSYLVANIA HUMAN RELATIONS COMMISSION

March 10, 1975

Mrs. Consuelo Rodriguez Jordan, 1516 Linden Street, Reading 19604, Berks County, Eleventh Senatorial District, from December 18, 1974, until February 21, 1977, or until her successor shall have been duly appointed and qualified.

Mrs. Doris Leader, 448 Linden Avenue, York 17404, York County, Twenty-eighth Senatorial District, from December 10, 1974, until February 21, 1976, or until her successor shall have been duly appointed and qualified.

Mrs. Elizabeth M. Scott, 1615 Maplewood Avenue, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, from December 10, 1974, until February 21, 1978, or until her successor shall have been duly appointed and qualified.

Doris Smith, Esquire, Apartment 3-J, Chatham Center Apartments, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, from December 19, 1974, until February 21, 1979, or until her successor shall have been duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

March 10, 1975

Edward H. DaCosta, 8 Ridgewood Road, Radnor 19087, Delaware County, Seventeenth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Mrs. Judith G. Replansky, 1518 James Road, Wynnewood 19096, Montgomery County, Twenty-fourth Senatorial District, from December 13, 1974, until the third Tuesday of January 1977, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

March 10, 1975

Mrs. Jean R. Beloff (Profit-Homes), 2330 South Eighth Street, Philadelphia 19148, Philadelphia County, First Senatorial District, from January 6, 1975, until November 19, 1977, and until her successor is appointed and qualified.

Mrs. Mary Jane Leader (Profit-Nursing Center), 1010 Black Rock Road, Gladwyne 19035, Montgomery County, Twelfth Senatorial District, from January 6, 1975, until November 19, 1976, and until her successor is appointed and qualified.

Val E. Miglioretti (County Facility), John J. Kane Hospital, Vanadium Road, Scott Township, Carnegie 15106, Allegheny County, Thirty-seventh Senatorial District, from January 6, 1975, until November 19, 1977, and until his successor is appointed and qualified.

Bernard Liebowitz (Non-Profit Homes), 5301 Old York Road, Philadelphia 19141, Philadelphia County, Thirty-sixth Senatorial District, from January 6, 1975, until November 19, 1976, and until his successor is appointed and qualified.

Patrick M. Greene (Consumer), 2601 Hoffer Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, from January 6, 1975, until November 19, 1976, and until his successor is appointed and qualified.

John E. Mannarelli (Osteopathic Physician and Surgeon), 5630 King Road, Erie 16509, Erie County, Forty-ninth Senatorial District, from January 6, 1975, until November 19, 1977, and until his successor is appointed and qualified.

Kathleen V. Repici, B.S. (Nursing), 1954 Moreland Road, Abington 19001, Montgomery County, Twelfth Senatorial District, from January 6, 1975, until November 19, 1975, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

March 10, 1975

Dr. Bernard Kushner, 1431 North 75th Street, Philadelphia 19153, Philadelphia County, Seventh Senatorial District, from December 23, 1974, for a term of four years, and until his successor shall have been appointed and qualified.

Dr. Guy D. Wengert, 307 South 24th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, from December 23, 1974, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

March 10, 1975

Richard H. Harmon, 1050 Stevens Drive, Fort Washington 19034, Philadelphia County, Twelfth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until his successor is appointed and qualified.

Mrs. Marie E. Logan, 2226 Napfle Avenue, Philadelphia 19152, Philadelphia County, Sixth Senatorial District, from December 13, 1974, until the third Tuesday of January 1979, and until her successor is appointed and qualified.

MEMBERS OF THE PENNSYLVANIA BOARD OF PSYCHOLOGIST EXAMINERS

March 10, 1975

Patricia M. Bricklin, Ph.D., L.L.D., (Practitioner), 470 General Washington Road, Wayne (Upper Merion Township) 19087, Montgomery County, Seventeenth Senatorial District, from December 24, 1974, for a term of two years, and until her successor is appointed and qualified.

Dr. J. Marshall Brown (Research and Teaching), 401 Dogwood Terrace, Easton 18042, Northampton County, Eighteenth Senatorial District, from December 24, 1974, for a term of three years, and until his successor is appointed and qualified.

Dr. Helen G. First (Teaching), 230 Orchard Way, Merion Station 19066, Montgomery County, Seventeenth Senatorial District, from December 24, 1974, for a term of two years, and until her successor is appointed and qualified.

Dr. Leon Gorlow (Advocacy Group), 622 Franklin Street, State College 16801, Centre County, Thirty-fourth Senatorial District, from December 24, 1974, for a term of one year, and until his successor is appointed and qualified.

Dr. Isadore Krasno (Practitioner), 313 South River Street, Wilkes-Barre 18702, Fourteenth Senatorial District, from December 24, 1974, for a term of one year, and until his successor is appointed and qualified.

Dr. Richard M. Lundy (Mental Health), 201 Ronan Drive, State College 16801, Centre County, Thirty-fourth Senatorial District, from December 24, 1974, for a term of three years, and until his successor is appointed and qualified.

MEMBERS OF THE STATE EMPLOYEES' RETIREMENT BOARD

March 10, 1975

William J. Moran, 137 South Cedar Street, Hazleton

18201, Luzerne County, Fourteenth Senatorial District, from December 20, 1974, for a term of two years, pursuant to Act 31, approved March 1, 1974.

Honorable Vincent X. Yakowicz, Esquire, 221 Terrence Place, New Cumberland 17070, Thirty-first Senatorial District, from January 2, 1975, for a term of three years, pursuant to Act 31, approved March 1, 1974.

Honorable Paul J. Smith, 261 Carol Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, from January 2, 1975, for a term of four years, pursuant to Act 31, approved March 1, 1974.

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

March 10, 1975

Ms. Joy Takiff, 4110 Timber Lane, Philadelphia 19144, Philadelphia County, Thirty-sixth Senatorial District, from January 2, 1975, until October 14, 1976, and until her successor is appointed and qualified.

MEMBER OF THE UNEMPLOYMENT COMPENSATION
BOARD OF REVIEW

March 10, 1975

Joseph J. McAneny, 182 Worth Street, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, from January 2, 1975, until July 1, 1977, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE ADVISORY HEALTH 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 members of the Advisory Health Board:

Arthur B. Calabrese, D.O., 252 West 11th Street, Erie 16501, Erie County, Forty-ninth Senatorial District, to serve until the third Tuesday of January, 1979, or until his successor has been appointed and has qualified.

Victor Dolfman, M.D., Park Towne Place Apartments, Philadelphia 19130, Philadelphia County, Second Senatorial District, to serve until the third Tuesday of January, 1979, or until his successor has been appointed and has qualified.

David Kelsen, M.D., Kenwyn Apartments, 50th and Wynnefield Avenue, Philadelphia 19131, Philadelphia County, Seventh Senatorial District, to serve until the third Tuesday of January, 1979, or until his successor has been appointed and has qualified.

Lawrence J. Mellon, Jr., M.D., 845 Kedron Avenue, Morton 19070, Delaware County, Twenty-sixth Senatorial District, to serve until the third Tuesday of January, 1979, or until his successor has been appointed and has qualified.

MILTON J. SHAPP

MEMBER OF THE BOARD OF TRUSTEES OF
NORRISTOWN 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 Mrs. Carol Rubenstein, 1451 Walton Road, Blue Bell 19422, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January, 1981, and until her successor is appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE BOARD OF TRUSTEES OF
PHILADELPHIA 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 members of the Board of Trustees of Philadelphia State Hospital:

Paul B. Schimmel, 116 Raynham Road, Merion Station 19066, Montgomery County, Seventeenth Senatorial District, to serve until the third Tuesday of January, 1981, and until his successor is appointed and qualified.

Peter J. Serubo, 441 Newbold Road, Jenkintown 19046, Montgomery County, Twelfth Senatorial District, to serve until the third Tuesday of January, 1981, and until his successor is appointed and qualified.

MILTON J. SHAPP

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

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.

NOMINATION TAKEN FROM THE TABLE

Senator AMMERMAN. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for Peter J. Camiel as a member of the Pennsylvania Turnpike Commission.

On the question,

Will the Senate advise and consent to the nomination?

Senator CIANFRANI. Mr. President, as the Senator from the District in which the nominee to the Turnpike Commission is now being considered, I think I would be somewhat remiss if I did not say a few words.

I rise to support the nomination of Senator Peter J. Camiel. Senator Camiel and I have had a long association, and it is no secret that recently it has not been a fruitful one. However, that cannot deter from the fact

that Senator Camiel's credentials, I think, are very highly recommended to us, both as a gentleman and as someone who has served in public office for many, many years.

As you all know he has been a Member of this Body for a certain length of time. I think he served diligently, not looking for any compensation, and I think when a name such as Senator Camiel comes before us, I would certainly hope that my colleagues would not have any reservations about his confirmation.

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

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

YEAS—45

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

NAYS—3

Ammerman, Smith, Tilghman,

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.

NOMINATIONS TAKEN FROM THE TABLE

Senator AMMERMAN. Mr. President, I call from the table for consideration the balance of 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—48

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

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.

MEETING OF THE COMMITTEE ON APPROPRIATIONS

Senator CIANFRANI. Mr. President, I would like to request a meeting of the Committee on Appropriations immediately in Room 350. As you well know, the Committee on Appropriations is presently in recess and I think I am in order in calling the meeting at this time.

The PRESIDENT pro tempore. The Chair hears no objection. There will be a meeting of the Committee on Appropriations in Room 350 immediately.

Will the Members please go to Room 350 for a meeting of the Committee on Appropriations?

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 772 (Pr. No. 834), SB 775 (Pr. No. 837), SB 776 (Pr. No. 838), SB 778 (Pr. No. 840) and SB 861 (Pr. No. 941)—Considered the second time and agreed to,
Ordered, To be transcribed for a third consideration.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 721 (Pr. No. 772), SB 722 (Pr. No. 773), SB 723 (Pr. No. 774), SB 725 (Pr. No. 776), SB 726 (Pr. No. 1002), SB 729 (Pr. No. 1003), SB 730 (Pr. No. 781), SB 731 (Pr. No. 782), SB 732 (Pr. No. 783), SB 733 (Pr. No. 784), SB 734 (Pr. No. 785), SB 735 (Pr. No. 1004), SB 754 (Pr. No. 816), SB 755 (Pr. No. 817), SB 756 (Pr. No. 818), SB 757 (Pr. No. 819), SB 758 (Pr. No. 820), SB 759 (Pr. No. 821), SB 760 (Pr. No. 822), SB 761 (Pr. No. 823), SB 762 (Pr. No. 1005), SB 763 (Pr. No. 825), SB 764 (Pr. No. 826), SB 765 (Pr. No. 827), SB 766 (Pr. No. 1006) and SB 767 (Pr. No. 829)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION AMENDED

SB 769 (Pr. No. 1007)—The bill was considered.

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

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

Amend Sec. 1, page 1, lines 26 and 27, by striking out "GENERAL INSTITUTIONAL EXPENSES" and inserting: Educational and general expenditures

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.

SB 770 (Pr. No. 1008)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1, page 2, line 2, by striking out "GENERAL INSTITUTIONAL EXPENSES" and inserting: educational and general expenditures

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.

SB 771 (Pr. No. 1009)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1, page 2, line 2, by striking out "GENERAL INSTITUTIONAL EXPENSES" and inserting: educational and general expenditures

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.

SB 777 (Pr. No. 1010)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1, page 1, line 26, by striking out "general institutional expenses" and inserting: educational and general expenditures

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.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 779 (Pr. No. 841), SB 792 (Pr. No. 854) and SB 899 (Pr. No. 1000)—Considered the second time and agreed to, Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 162—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL ON SECOND CONSIDERATION

SB 170 (Pr. No. 170)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 287—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILLS ON SECOND CONSIDERATION AMENDED

HB 408 (Pr. No. 1811)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Title, page 1, lines 4 and 5, by striking out "authorizing the county treasurer to be" and inserting: clarifying the provision relating to composition of the board and further providing for

Amend Sec. 1, page 1, line 8, by striking out "Section" where it appears the second time and inserting: Subsection (b) of section 4 and section

Amend Sec. 1, page 1, line 9, by striking out "is" and inserting: are

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

Section 4. County Retirement System; County Retirement Board.— * * *

(b) The system, when established, shall be administered by a county retirement board, consisting of five members, [three of whom] who shall be the county commissioners, the county controller and the county treasurer. In counties having no elected county controller, the chief clerk of the county shall be a member of the board. The chairman of the board of county commissioners shall be chairman of the board. Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board, and that he will not knowingly violate or permit to be violated any of the provisions of this act. Such oath shall be subscribed by the member taking it, and shall be filed among the records of the board. The members of the board shall not receive any compensation for their services, but shall be reimbursed for all expenses necessarily incurred in the performance of their duty. Three members of the board shall constitute a quorum.

Amend Sec. 1 (Sec. 5), page 1, line 12, by striking out "THE COUNTY TREASURER" and inserting: shall be the secretary of the board

Amend Sec. 1 (Sec. 5), page 1, line 12, by inserting a comma after "or"

Amend Sec. 1 (Sec. 5), page 1, line 12, by inserting a bracket before "the" where it appears the first time

Amend Sec. 1 (Sec. 5), page 1, line 13, by striking out the bracket before ", as"

Amend Sec. 1 (Sec. 5), page 1, line 14, by inserting after "treasurer,": , the county treasurer or the chief clerk of the county

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.

SB 545 (Pr. No. 569)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator JUBELIRER, on behalf of Senator FRAME, 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 inserting after "that": members of the Commonwealth Court and

Amend Sec. 1 (Sec. 13), page 1, line 13 by inserting after "Court,": the president judge and each judge of the Commonwealth Court,

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 OVER IN ORDER

SB 560—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL ON SECOND CONSIDERATION

SB 586 (Pr. No. 617)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 600—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILL ON SECOND CONSIDERATION AMENDED

SB 714 (Pr. No. 1040)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator O'PAKE offered the following amendments:

Amend Title, page 1, line 2, by inserting after "district": , one additional law judge of the court of common pleas in the twenty-third judicial district

Amend Sec. 1, page 1, line 14, by inserting after "district,": one additional law judge is hereby authorized and provided for the court of common pleas of the twenty-third judicial district,

Amend Sec. 2, page 2, line 17, by inserting after "district": , the twenty-third judicial district

Amend Sec. 2, page 2, line 22, by inserting after "district": , one competent person learned in the law to serve as additional law judge of the court of common pleas of the twenty-third judicial district

Amend Sec. 3, page 3, line 1, by striking out "THREE" and inserting: four

Amend Sec. 3, page 3, line 5, by inserting after

"district,": one competent person learned in the law as an additional law judge of the court of common pleas of the twenty-third judicial district

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 O'PAKE.

BILLS ON SECOND CONSIDERATION

SB 744 (Pr. No. 805) and **SB 745 (Pr. No. 806)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION AMENDED

SB 800 (Pr. No. 1045)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MELLOW, on behalf of Senator SMITH, offered the following amendments:

Amend Sec. 5, page 7, line 8 by inserting a period after "immediately"

Amend Sec. 5, page 7, lines 8 and 9 by striking out "and be" in line 8 and all of line 9

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.

BILLS OVER IN ORDER

SB 816 and **831**—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

BILL ON SECOND CONSIDERATION

SB 867 (Pr. No. 947)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 868, 869 and **871**—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

BILLS ON SECOND CONSIDERATION AMENDED

SB 904 (Pr. No. 1047)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator EARLY offered the following amendments:

Amend Title, page 1, line 3, by striking out "Allegheny-Ludlum" and inserting: Allegheny Ludlum

Amend Title, page 1, line 4, by striking out all of said line and inserting: Inc.

Amend Sec. 1, page 1, line 9, by striking out "Allegheny-Ludlum" and inserting: Allegheny Ludlum

Amend Sec. 1, page 1, line 10, by striking out "Incorporated," and inserting: Inc.,

Amend Sec. 1, page 2, line 6, by striking out "Allegheny-Ludlum" and inserting: Allegheny Ludlum

Amend Sec. 1, page 2, line 6, by striking out "Incorporated," and inserting: Inc.,

Amend Sec. 1, page 2, line 7, by striking out "Allegheny-Ludlum" and inserting: Allegheny Ludlum

Amend Sec. 1, page 2, line 8, by striking out "Incorporated," and inserting: Inc.,

Amend Sec. 1, page 2, line 21, by inserting after "point;": thence along same south 55 degrees 51 minutes 10 seconds west, 21.823 rods to a point;

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 EARLY.

HB 910 (Pr. No. 1495)—The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Sec. 1, page 1, line 9, by inserting after "instruction": , so far as consistent with their stated moral principles,

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.

BILL ON SECOND CONSIDERATION

HB 1121 (Pr. No. 1289)—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

RECONSIDERATION OF SB 553

BILL OVER IN ORDER ON FINAL PASSAGE

SB 553 (Pr. No. 584)—Senator NOLAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 553, Printer's No. 584, failed of final passage on July 2, 1975.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Senator NOLAN. Mr. President, I request that Senate Bill No. 553 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.

UNFINISHED BUSINESS

SENATE CONCURRENT RESOLUTION

DECLARING "BATAAN DAY" AND "CORREGIDOR DAY"

Senators MURPHY, COPPERSMITH, ROSS, STAPLE-

TON and HILL offered the following resolution (**Serial No. 216**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, July 8, 1975.

WHEREAS, This great Nation is on the eve of its bicentennial celebration; and

WHEREAS, The American Defenders of Bataan and Corregidor have played a significant part in the preservation of this great Nation; and

WHEREAS, April 7 and May 9 mark the anniversaries of the end of the epic struggle of American forces on Bataan and Corregidor; and

WHEREAS, Bataan and Corregidor symbolize the spirit which moves men of different races and different creeds to fight shoulder to shoulder for their freedom; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby declares April 7 "Bataan Day" and May 9 "Corregidor Day"; and be it further

RESOLVED, That the General Assembly encourages schools, churches and other organizations to hold appropriate services so that the Nation may honor these gallant defenders by making an effort to perpetuate their ideals; and be it further

RESOLVED, That a copy of this resolution be transmitted to John M. Emerick, National Commander of the American Defenders of Bataan and Corregidor, Finleyville, Pennsylvania.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to the Citizens Fire Company No. 1 of Newport and to Mr. and Mrs. Paul R. Gilbert by Senator Moore.

Congratulations of the Senate were extended to Monsignor Alphonse G. Mihm by Senator Kelley.

Congratulations of the Senate were extended to Mr. and Mrs. Lloyd R. Steffy by Senator Myers.

Congratulations of the Senate were extended to the Borough of Ellsworth and to Mr. and Mrs. Fred T. Gillogly by Senator Murphy.

BILL SIGNED

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

SB 823.

SENATE AT EASE

The PRESIDENT pro tempore. The Senate will be at ease awaiting the Committee on Appropriations to make their report.

(The Senate was at ease.)

REPORTS FROM COMMITTEES

Senator CIANFRANI, by unanimous consent, from the Committee on Appropriations, rereported, as amended, **HB 1333**; reported, as amended, **SB 724, 727 and 768.**

Senator HILL, by unanimous consent, from the Committee on Judiciary, reported, as amended, **SB 537, 584, 585 and HB 65.**

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 537, 584, 585, 724, 727, 768 and HB 65.

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, JULY 9, 1975	
9:30 A.M.	ENVIRONMENTAL RESOURCES to consider Senate Bills No. 259, 738 and House Bills No. No. 854, 1346, 1417 and House Resolution No. 13	Minority Caucus room
9:30 A.M.	LOCAL GOVERNMENT to consider Senate Bills No. 419, 675, 808, 809, 810, Senate Resolution No. 25 and House Bills No. 50, 678, 751, 951, 996, 1119 and 1120	Majority Caucus room
11:30 A.M.	BUSINESS AND COMMERCE to consider Senate Bills No. 536, 711, 712, 753 and House Bill No. 563	169
12:00 Noon	RULES AND EXECUTIVE NOMINATIONS to consider certain Execu- tive Nominations	Committee meeting room

12:30 P.M.	LAW AND JUSTICE to consider House Bills No. 527 and 1075	Majority Caucus room
THURSDAY, JULY 10, 1975		
10:00 A.M.	CONSUMER AFFAIRS to investigate the PUC	Majority Caucus room
10:00 A.M.	INSURANCE Public Hearing on Senate Bill No. 885	House Majority Caucus room
FRIDAY, JULY 11, 1975		
9:30 A.M.	INSURANCE Public Hearing on Senate Bill No. 885	Majority Caucus room
TUESDAY, JULY 15, 1975		
10:00 A.M.	EDUCATION to consider Senate Bills No. 580, 801 and House Bill No. 97	188
10:30 A.M.	JUDICIARY to consider Senate Bills No. 168, 179, 180, 518, 599, 620 and House Bills No. 491 and 749	172
11:30 A.M.	AGING AND YOUTH to consider Senate Bills No. 613 and 614	168 B
THURSDAY, JULY 17, 1975		
9:30 A.M.	TRANSPORTATION Public Hearing on Senate Bill No. 528	Majority Caucus room

ADJOURNMENT

Senator NOLAN. Mr. President, I move that the Senate do now adjourn until Wednesday, July 9, 1975, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 7:15 p.m., Eastern Daylight Saving Time.