

## Legislative Journal

TUESDAY, JUNE 8, 1976

Session of 1976

160th of the General Assembly

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## SENATE

TUESDAY, June 8, 1976.

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

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

## PRAYER

The Chaplain, The Reverend ALBERT SWIFT, Pastor of Tabernacle Baptist Church, Philadelphia, offered the following prayer:

Our sovereign God, we seek Thy face to thank Thee and praise Thee. We are appreciative for the privilege of being servants of Thine and the family of mankind. We pray that Thou will bless this Session of this Senate.

Endow each of us with the spirit of understanding and let all men know that he that buildeth is wise. We further ask where there is sickness, good health will be realized; where injury is found, pardon will come; where misunderstanding abounds, understanding will prevail; where poverty lingers, wealth shall be given.

Guide us with Your hand of power and Your heart of love. In Your wisdom which we seek to obtain good, our Supreme Ruler of the Universe, the only wise God, 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.

## HOUSE MESSAGE

## HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 77, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 77**, and has appointed Messrs. PETRARCA, DeMEDIO and S. HAYES as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

## BILLS SIGNED

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

**SB 891** and **HB 683**.

## REPORT OF COMMITTEE OF CONFERENCE SUBMITTED AND LAID ON THE TABLE

Senator LYNCH submitted the Report of Committee of Conference on **HB 1817**, which was laid on the table.

## BILLS INTRODUCED AND REFERRED

Senators ZEMPRELLI, FRAME and WOOD presented to the Chair **SB 1564**, entitled:

An Act designating a certain bridge crossing the Allegheny River as the John M. Walker Bridge.

Which was committed to the Committee on Transportation.

Senators ARLENE, MESSINGER, LYNCH, McKINNEY, SMITH and HANKINS presented to the Chair **SB 1565**, entitled:

An Act relating to public contracts for the purchase of goods and services; requiring the purchase of goods produced in Pennsylvania by workmen paid the prevailing wage whenever possible; requiring that workmen hired to provide purchased services be paid the prevailing wage; providing for the determination of prevailing wage rates by the Department of Labor and Industry; creating a review board in the Department of Labor and Industry to hear grievances arising from the administration of this act; imposing certain duties on persons bidding for and holding public contracts for the supply of goods or services, and on public bodies letting such contracts; permitting the Department of Labor and Industry to promulgate regulations to implement this act; providing remedies and penalties, and repealing inconsistent laws.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 1566**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," providing for an unemployed workers health care insurance program.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 1567**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," further defining "wages" and increasing employers' maximum contribution rate.

Which was committed to the Committee on Labor and Industry.

Senators ARLENE, MESSINGER, LYNCH, McKINNEY, HANKINS and DUFFIELD presented to the Chair **SB 1568**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," further providing for payments by check.

Which was committed to the Committee on Labor and Industry.

Senators HANKINS, HESS, MELLOW, HAGER, SMITH, HILL, HOLL, ARLENE, NOSZKA and HOBBS presented to the Chair **SB 1569**, entitled:

An Act amending the act of October 15, 1975 (No. 111), entitled "Health Care Services Malpractice Act," further providing for the powers and duties of the administrator, changing definitions, and further providing for liability and exemptions.

Which was committed to the Committee on Insurance.

Senators DWYER, ANDREWS and MOORE presented to the Chair **SB 1570**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for the designation of issuing agents.

Which was committed to the Committee on Environmental Resources.

Senators SMITH, ORLANDO, SCANLON, BELL, KELLEY, EWING, MOORE and STAUFFER presented to the Chair **SB 1571**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for assignment of rights to retirement benefits to credit unions.

Which was committed to the Committee on State Government.

Senator SWEENEY presented to the Chair **SB 1572**, entitled:

An Act amending the act of August 14, 1963 (P. L. 984, No. 450), entitled "Metropolitan Transportation Authorities Act of 1963," providing for all fare increases to be subject to approval by the Public Utility Commission.

Which was committed to the Committee on Consumer Affairs.

He also presented to the Chair **SB 1573**, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053, No. 286), entitled "Public Utility Law," further providing for the commission to approve the rates, fares and charges of certain transportation authorities.

Which was committed to the Committee on Consumer Affairs.

He also presented to the Chair **SB 1574**, entitled:

An Act amending the act of January 22, 1968 (P. L. 27, No. 7), entitled "The Pennsylvania Transportation Assistance Authority Act of 1967," prohibiting the payment of money to certain authorities.

Which was committed to the Committee on Transportation.

He also presented to the Chair **SB 1575**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for assistance in voting.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 1576**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for applications for official absentee ballots and for permanently disabled electors.

Which was committed to the Committee on State Government.

### THE HONORABLE ROBERT D. FLEMING PRESENTED TO SENATE

The PRESIDENT pro tempore. At this time I would like to introduce a distinguished former Member of the Senate of Pennsylvania, former President pro tempore, a very distinguished Member for a number of years. This is the first time he has been back in Harrisburg since he left. I would like to know if our distinguished friend, Senator Fleming, would like to say a few words.

(Applause.)

Senator R. D. FLEMING. Thank you, Mr. President. Friends, it is very, very nice to be back and renew old acquaintances. I have seen most of you; those whom I have not seen, I certainly would like to say hello to you. I can only tell you this is the greatest Body in the world. Stay here as long as you can.

Thank you so much for welcoming me.

(Applause.)

The PRESIDENT pro tempore. I would like to say, Senator Fleming, you are always welcome to come back.

### THE HONORABLE JOHN B. CONNALLY, FORMER GOVERNOR OF THE STATE OF TEXAS, PRESENTED TO SENATE

The PRESIDENT pro tempore. We are honored today to have Governor Connally of Texas with us. We extend him a very warm welcome from the Senate of Pennsylvania. For the official introduction, I am going to call on Senator Frame, who is Republican State Chairman, to introduce our distinguished guest, Governor Connally.

Senator FRAME. Mr. President, my fellow Senators and colleagues: First let me express my appreciation for the great courtesy of the President pro tempore in inviting Governor Connally to be our guest here this morning. It is a rare and unusual and very rewarding occasion when we in the Senate of Pennsylvania are privileged to have as a visitor a national political leader who has served so distinguished a career, if you might say it, on both sides of the aisle, in such high positions of responsibility as the Governor of Texas, Secretary of the Navy and Secretary of the Treasury.

It is my great pleasure, on your behalf, to welcome Governor Connally to your midst today and present him to you.

(Applause.)

GOVERNOR CONNALLY. Mr. President, Senator Frame, distinguished Members of the Senate, your guests in the gallery: Let me first, Mr. President, express to you and to your distinguished colleagues in the Senate my deepest gratitude and humility for your kindness in permitting me to appear here this morning. I assure you that I will not long transgress on your time.

Secondly, may I, in a sense of both envy and jealousy, tell you that I have been privileged to see many capitols in many states—as a matter of fact, many capitols in many countries—however, I think I stand more in awe of the grandeur and magnificance of this than any I have seen anywhere. I do not know how any of you Senators could ever have a bad or evil thought in Chambers such as this, and I am sure you do not.

It is, indeed, a great privilege to be here. As you know,

I had the privilege of serving in state government. My only elective office was Governor of my home State of Texas. I am privileged that I had the opportunity to serve that State in that capacity. During that period of time I worked with the Members of my own Senate, as well as Senators from all over the United States in connection with many problems which we encountered. I must say to you that I have nothing but respect and admiration for those of you who give of your time and your talents to serve your State and your country in the capacity in which you presently serve.

I think all too often, particularly in these days when those of us who follow political pursuits tend to be misunderstood to a large extent, it is all too common for people to be critical of those who attempt to serve them in positions of responsibility such as you occupy here without, at the same time, giving them full credit for the dedication and the faithfulness with which they approach their problems.

I say to you as distinguished Members of this Senate that you occupy a unique position of opportunity and responsibility to meet the needs of the people of your State, this great Commonwealth of Pennsylvania. I cannot but express the hope and express the confidence—really more than hope, but the confidence—that you will, indeed, live up to your responsibilities to make this State government function.

We constantly hear criticism of the bigness of the Federal government. We hear about the cost of Federal government, about the burgeoning bureaucracy of the Federal government. Yet, we must recognize that at the State level we really are on the front line of the responsibility for meeting the needs of the people whom we serve. If, indeed, there has been a growth of the Federal government over the last half century, more particularly, the last quarter century, it is to some extent the result of the failure of State and local governments really to respond to the changing times in which we live. Changing times, indeed, confront us all.

I think these turbulent times of this Nation require the greatest imagination and dedication of which we are capable.

Over the past fifteen years we have seen some of the most swiftly changing times that this civilization and society has ever known, particularly in this Bicentennial year, in this great Commonwealth of Pennsylvania where this Nation was founded. I think we should all recognize that the social revolution which began in the United States in the 1960s, followed by a race revolution in the 1960s, a youth revolution of that same period, a religious revolution that swept the country and is still sweeping the country, the mood on the part of people throughout is to cast aside the moorings that they had known, to ask and seek new values, to seek new standards, new criteria by which to judge their accomplishments and their hopes for the future.

It behooves all of us to approach the future with not only great enthusiasm and great confidence, but also with great imagination and ingenuity, because we do live in changing times. We like to think that we all live in a tranquil world and a peaceful world, and we would hope devoutly that that would be so. Perhaps it will be. It will be, indeed, if we have the courage and if we have the capacity for leadership which we need to bring about that tranquility and that peace throughout the world.

But, we must also be realistic enough to know that most of the people in the world today live not as we do, with the rights and privileges which we enjoy and the bright light of freedom, but most people in the world today live in the relative darkness of bondage and slavery. Over eighty per cent of the people in the world live under those conditions.

Therefore, it requires a new dedication, a new sense of realism on our part as we look back at the great vision and the great courage of those who founded this republic and this society in Philadelphia and in Pennsylvania two hundred years ago, it seems to me, to rededicate ourselves to trying to preserve this system, this system of freedom, this system of opportunity, this society of learning, this society of tolerance and understanding in order to spread its benefits and its teachings throughout the world. It is not an easy task. It never has been and it never will be.

Therefore, I am particularly honored that I was privileged to come to your Capitol today, just a few days before the day of Independence of this Nation, and to have the privilege to stand in these hallowed halls and to express to you my own love of this Nation and my gratitude to you for your ancestors in this great Commonwealth of Pennsylvania and the ancestors of us all who had a courage and an imagination and a commitment and a vision that surpasses anything and everything that we have seen since. I would only hope that out of these halls will come others of such commitments and such daring, because in the talents of the hands and the genius of the minds of Americans is going to dwell the hope for another two hundred years of prosperity, of peace, but even more, freedom and opportunity in this land.

(Applause.)

Senator FRAME. Governor Connally, on behalf of my colleagues I want to express the appreciation of all of us for taking your time to visit the Senate of Pennsylvania, which Senator R. D. Fleming has called the greatest legislative Body in the world, and for being with us. To the Chair and President pro tempore for his hospitality and graciousness, I express my personal appreciation. Thank you very much.

(Applause.)

#### ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Committee on Urban Affairs and Housing which was scheduled to meet during Session today will meet at 1:15 this afternoon in Room 350.

#### ANNOUNCEMENT BY MAJORITY LEADER

Senator NOLAN. Mr. President, it is our hope that we can adjourn for the week today. The Motor Vehicle Code will not be ready today. It is being printed and it will be ready for Monday's vote. Therefore, we will move to adjourn this afternoon.

#### RECESS

Senator NOLAN. Mr. President, I request a recess of the Senate until 1:15 p.m., for the purpose of holding a Democratic caucus and a Republican caucus.

The PRESIDENT pro tempore. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:15 p.m., Eastern Daylight Saving Time.

**AFTER RECESS**

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

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

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 2379**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 2257**, which was referred to the Committee on Judiciary.

He also presented for concurrence **HB 1819** and **2010**, which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 835** and **1858**, which were referred to the Committee on Rules and Executive Nominations.

He also presented for concurrence **HB 1377**, which was referred to the Committee on State Government.

**HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1365, AND APPOINTS COMMITTEE OF CONFERENCE**

He also informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1365**, and has appointed Messrs. MANDERINO, WOJDAK and SELTZER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS**

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

He also informed the Senate that the House has concurred in Senate Concurrent Resolution recommending **SB 883** to the Committee of Conference for further study.

**COMMITTEE OF CONFERENCE APPOINTED ON HB 175**

The PRESIDENT pro tempore. The Chair announces the appointment of Senators KURY, SWEENEY and EWING as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 175.

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

**COMMITTEE OF CONFERENCE APPOINTED ON HB 314**

The PRESIDENT pro tempore. The Chair announces the appointment of Senators KELLEY, MYERS and ANDREWS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 314.

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

**CALENDAR****REPORTS OF COMMITTEES OF CONFERENCE****BILLS OVER IN ORDER**

**SB 670** and **671**—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

**BILL RECOMMITTED TO COMMITTEE OF CONFERENCE**

**SB 883 (Pr. No. 1941)**—Upon motion of Senator NOLAN, and agreed to, the bill was recommitted to the Committee of Conference, in accordance with concurrent resolution adopted.

**BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS**

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 614**

**HB 614 (Pr. No. 3009)**—Senator NOLAN. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 614, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

**BILLS ON CONCURRENCE IN HOUSE AMENDMENTS****SENATE NONCONCURS IN HOUSE AMENDMENTS**

**SB 33 (Pr. No. 1945)**—Senator NOLAN. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 33, and that a Committee of Conference on the part of the Senate be appointed.

On the question,

Will the Senate agree to the motion?

Senator DOUGHERTY. Mr. President, may I request a roll call on the motion of the Majority Leader?

**PARLIAMENTARY INQUIRY**

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

The PRESIDENT pro tempore. The gentleman from Clearfield, Senator Ammerman, will state it.

Senator AMMERMAN. Mr. President, I ask for clarification. What does "aye" and a "nay" vote mean?

The PRESIDENT pro tempore. "Aye" will be to concur, "nay" not to concur.

Senator NOLAN. Vice versa, Mr. President.

Mr. President, the motion is that we nonconcur in Senate Bill No. 33. An "aye" vote would be not to concur.

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

(The Senate was at ease.)

**MOTION WITHDRAWN**

Senator NOLAN. Mr. President, I withdraw my motion of nonconcurrence.

MOTION TO CONCUR IN HOUSE AMENDMENTS

Senator DOUGHERTY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 33.

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

Senator NOLAN. Mr. President, I ask for a vote against the motion of concurrence, a "no" vote.

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—24

|            |          |            |           |
|------------|----------|------------|-----------|
| Ammerman,  | Fleming, | Jubelirer, | Myers.    |
| Andrews,   | Hager,   | Lentz,     | O'Pake,   |
| Bell,      | Hess,    | Lewis,     | Reibman,  |
| Dougherty, | Hobbs,   | Manbeck,   | Snyder,   |
| Dwyer,     | Holl,    | Moore,     | Stauffer, |
| Ewing,     | Howard,  | Murphy,    | Sweeney,  |

NAYS—25

|            |            |            |            |
|------------|------------|------------|------------|
| Arlene,    | Kelley,    | Murray,    | Scanlon,   |
| Cianfrani, | Kury,      | Nolan,     | Smith,     |
| Duffield,  | Lynch,     | Noszka,    | Stapleton, |
| Early,     | McKinney,  | Orlando,   | Tilghman,  |
| Frame,     | Mellow,    | Romanelli, | Wood,      |
| Hankins,   | Messinger, | Ross,      | Zemprelli, |
| Hill,      |            |            |            |

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

PARLIAMENTARY INQUIRY

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

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

Senator NOLAN. Mr. President, I take it, with that vote, that there has been a nonconcurrence vote to the House amendments.

The PRESIDENT pro tempore. You are correct, Senator.

Senator NOLAN. Mr. President, I move that a Committee of Conference be appointed.

The PRESIDENT pro tempore. It has been moved by the gentleman from Allegheny, Senator Nolan, that a Committee of Conference be appointed on Senate Bill No. 33.

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

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

BILLS OVER IN ORDER

SB 1011 and 1166—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1276 (Pr. No. 1750)—Senator NOLAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1276.

On the question,  
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—49

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

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.

FINAL PASSAGE CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 1222—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 460 (Pr. No. 3318)—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,  | Hankins,   | Manbeck,   | Reibman,   |
| Andrews,   | Hess,      | McKinney,  | Romanelli, |
| Arlene,    | Hill,      | Mellow,    | Ross,      |
| Bell,      | Hobbs,     | Messinger, | Scanlon,   |
| Cianfrani, | Holl,      | Moore,     | Smith,     |
| Dougherty, | Howard,    | Murphy,    | Snyder,    |
| Duffield,  | Jubelirer, | Murray,    | Stapleton, |
| Dwyer,     | Kelley,    | Myers,     | Stauffer,  |
| Early,     | Kury,      | Nolan,     | Sweeney,   |
| Ewing,     | Lentz,     | Noszka,    | Tilghman,  |
| Fleming,   | Lewis,     | O'Pake,    | Wood,      |
| Frame,     | Lynch,     | Orlando,   | Zemprelli, |
| Hager,     |            |            |            |

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 OVER IN ORDER

HB 65—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

**BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 361 (Pr. No. 3402)**—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,  | Hankins,    | Manbeck,   | Reibman,   |
| Andrews,   | Hess,       | McKinney,  | Romanelli, |
| Arlene,    | Hill,       | Mellow,    | Ross,      |
| Bell,      | Hobbs,      | Messinger, | Scanlon,   |
| Cianfrani, | Holl,       | Moore,     | Smith,     |
| Dougherty, | Howard,     | Murphy,    | Snyder,    |
| Duffield,  | Jubeltreer, | Murray,    | Stapleton, |
| Dwyer,     | Kelley,     | Myers,     | Stauffer,  |
| Early,     | Kury,       | Nolan,     | Sweeney,   |
| Ewing,     | Lentz,      | Noszka,    | Tilghman,  |
| Fleming,   | Lewis,      | O'Pake,    | Wood,      |
| Frame,     | Lynch,      | Orlando,   | Zemprelli, |
| Hager,     |             |            |            |

**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 567 (Pr. No. 3403)**—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—37**

|            |             |            |            |
|------------|-------------|------------|------------|
| Ammerman,  | Hobbs,      | Mellow,    | Ross,      |
| Andrews,   | Holl,       | Messinger, | Scanlon,   |
| Arlene,    | Howard,     | Murray,    | Smith,     |
| Cianfrani, | Jubeltreer, | Nolan,     | Stapleton, |
| Dougherty, | Kelley,     | Noszka,    | Stauffer,  |
| Duffield,  | Kury,       | O'Pake,    | Sweeney,   |
| Fleming,   | Lewis,      | Orlando,   | Tilghman,  |
| Frame,     | Lynch,      | Reibman,   | Wood,      |
| Hankins,   | McKinney,   | Romanelli, | Zemprelli, |
| Hill,      |             |            |            |

**NAYS—12**

|        |        |          |         |
|--------|--------|----------|---------|
| Bell,  | Ewing, | Lentz,   | Murphy, |
| Dwyer, | Hager, | Manbeck, | Myers,  |
| Early, | Hess,  | Moore,   | Snyder, |

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

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

**SB 875 (Pr. No. 955)**—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,  | Hankins,    | Manbeck,   | Reibman,   |
| Andrews,   | Hess,       | McKinney,  | Romanelli, |
| Arlene,    | Hill,       | Mellow,    | Ross,      |
| Bell,      | Hobbs,      | Messinger, | Scanlon,   |
| Cianfrani, | Holl,       | Moore,     | Smith,     |
| Dougherty, | Howard,     | Murphy,    | Snyder,    |
| Duffield,  | Jubeltreer, | Murray,    | Stapleton, |
| Dwyer,     | Kelley,     | Myers,     | Stauffer,  |
| Early,     | Kury,       | Nolan,     | Sweeney,   |
| Ewing,     | Lentz,      | Noszka,    | Tilghman,  |
| Fleming,   | Lewis,      | O'Pake,    | Wood,      |
| Frame,     | Lynch,      | Orlando,   | Zemprelli, |
| Hager,     |             |            |            |

**NAYS—0**

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

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

**BILL OVER IN ORDER**

**SB 994**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

**BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1186 (Pr. No. 1415)**—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,  | Hankins,    | Manbeck,   | Reibman,   |
| Andrews,   | Hess,       | McKinney,  | Romanelli, |
| Arlene,    | Hill,       | Mellow,    | Ross,      |
| Bell,      | Hobbs,      | Messinger, | Scanlon,   |
| Cianfrani, | Holl,       | Moore,     | Smith,     |
| Dougherty, | Howard,     | Murphy,    | Snyder,    |
| Duffield,  | Jubeltreer, | Murray,    | Stapleton, |
| Dwyer,     | Kelley,     | Myers,     | Stauffer,  |
| Early,     | Kury,       | Nolan,     | Sweeney,   |
| Ewing,     | Lentz,      | Noszka,    | Tilghman,  |
| Fleming,   | Lewis,      | O'Pake,    | Wood,      |
| Frame,     | Lynch,      | Orlando,   | Zemprelli, |
| Hager,     |             |            |            |

**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 1187 (Pr. No. 1416)**—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, | Hankins, | Manbeck,  | Reibman,   |
| Andrews,  | Hess,    | McKinney, | Romanelli, |

|   |   |   |  |
|---|---|---|--|
| Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zemprell, |
|---|---|---|--|

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.

**The PRESIDING OFFICER (Henry J. Cianfrani) in the Chair.**

BILL OVER IN ORDER

**SB 1241**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1283 (Pr. No. 1547)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zemprell, |
|--|--|--|--|

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 1430 (Pr. No. 1906)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith, |
|---|---|--|---|

|   |   |  |   |
|---|---|--|---|
| Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zemprell, |
|---|---|--|---|

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 1440 (Pr. No. 1794)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zemprell, |
|--|--|--|--|

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 1473 (Pr. No. 1727)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zemprell, |
|--|--|--|--|

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.



**SB 1475 (Pr. No. 1840)**—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**

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

**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 1500 (Pr. No. 1872)**—Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

Senator DUFFIELD. Mr. President, I feel constrained to vote against this bill based upon the fact that I see nothing in the bill for any appropriation to southwestern Pennsylvania outside of Allegheny County. It is a bill providing, of course, for urban transportation in the amount of \$36 million, which represents almost .1 of our income tax. The City of Philadelphia which, I assume, is synonymous with the County of Philadelphia, receives \$23.5 million, and Southeastern Pennsylvania Transportation Authority, \$8 million, which is really some \$31 million or \$32 million concerned with taxpayers' money from my District that would go into these urban projects.

I am from an area which has very poor transportation facilities. It has been neglected. Even Allegheny County receives \$3 million compared to some \$30 million for Philadelphia County with almost the same population. On that basis, I can see no good in this bill for the parts of Pennsylvania outside of some of the metropolitan areas that have set up their own transportation authorities. I think there should be some thought given to those counties that have very inadequate transportation today.

I also understand from reading the Philadelphia papers that SEPTA is in trouble. They have, apparently, according to the Philadelphia papers, overinflated some of their financing and audits in order to follow the collision course to get more money.

Therefore, Mr. President, I will vote in the negative on this bill.

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—42**

|                   |                  |                   |                   |
|-------------------|------------------|-------------------|-------------------|
| <b>Ammerman,</b>  | <b>Hill,</b>     | <b>Messinger,</b> | <b>Ross,</b>      |
| <b>Arlene,</b>    | <b>Hobbs,</b>    | <b>Moore,</b>     | <b>Scanlon,</b>   |
| <b>Bell,</b>      | <b>Holl,</b>     | <b>Murray,</b>    | <b>Smith,</b>     |
| <b>Cianfrani,</b> | <b>Howard,</b>   | <b>Myers,</b>     | <b>Snyder,</b>    |
| <b>Dougherty,</b> | <b>Kury,</b>     | <b>Nolan,</b>     | <b>Stapleton,</b> |
| <b>Ewing,</b>     | <b>Lentz,</b>    | <b>Noszka,</b>    | <b>Stauffer,</b>  |
| <b>Fleming,</b>   | <b>Lewis,</b>    | <b>O'Pake,</b>    | <b>Sweeney,</b>   |
| <b>Frame,</b>     | <b>Lynch,</b>    | <b>Orlando,</b>   | <b>Tilghman,</b>  |
| <b>Hager,</b>     | <b>Manbeck,</b>  | <b>Reibman,</b>   | <b>Wood,</b>      |
| <b>Hankins,</b>   | <b>McKinney,</b> | <b>Romanelli,</b> | <b>Zemprelli,</b> |
| <b>Hess,</b>      | <b>Mellow,</b>   |                   |                   |

**NAYS—7**

|                  |               |                   |                |
|------------------|---------------|-------------------|----------------|
| <b>Andrews,</b>  | <b>Dwyer,</b> | <b>Jubelrler,</b> | <b>Murphy,</b> |
| <b>Duffield,</b> | <b>Early,</b> | <b>Kelley,</b>    |                |

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 1504 (Pr. No. 1876)**—Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEAS—41**

|                   |                  |                   |                   |
|-------------------|------------------|-------------------|-------------------|
| <b>Ammerman,</b>  | <b>Hobbs,</b>    | <b>Messinger,</b> | <b>Ross,</b>      |
| <b>Arlene,</b>    | <b>Holl,</b>     | <b>Moore,</b>     | <b>Scanlon,</b>   |
| <b>Bell,</b>      | <b>Howard,</b>   | <b>Murray,</b>    | <b>Smith,</b>     |
| <b>Cianfrani,</b> | <b>Kury,</b>     | <b>Myers,</b>     | <b>Snyder,</b>    |
| <b>Dwyer,</b>     | <b>Lentz,</b>    | <b>Nolan,</b>     | <b>Stapleton,</b> |
| <b>Ewing,</b>     | <b>Lewis,</b>    | <b>Noszka,</b>    | <b>Stauffer,</b>  |
| <b>Fleming,</b>   | <b>Lynch,</b>    | <b>O'Pake,</b>    | <b>Sweeney,</b>   |
| <b>Frame,</b>     | <b>Manbeck,</b>  | <b>Orlando,</b>   | <b>Tilghman,</b>  |
| <b>Hankins,</b>   | <b>McKinney,</b> | <b>Reibman,</b>   | <b>Wood,</b>      |
| <b>Hess,</b>      | <b>Mellow,</b>   | <b>Romanelli,</b> | <b>Zemprelli,</b> |
| <b>Hill,</b>      |                  |                   |                   |

**NAYS—8**

|                   |                  |                   |                |
|-------------------|------------------|-------------------|----------------|
| <b>Andrews,</b>   | <b>Duffield,</b> | <b>Hager,</b>     | <b>Kelley,</b> |
| <b>Dougherty,</b> | <b>Early,</b>    | <b>Jubelrler,</b> | <b>Murphy,</b> |

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 1505 (Pr. No. 1877)**—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**

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

**NAYS—1**

**Early,**

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 AMENDED AND RECOMMITTED

HB 1509 (Pr. No. 3401)—Considered the third time,

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

REQUEST FOR BILL OVER IN ORDER

Senator NOLAN. Mr. President, I request House Bill No. 1509 go over in its order.

Senator DOUGHERTY. Mr. President, House Bill No. 1509 is on its tenth day. If it goes over, it would go off the Calendar and back to committee. This is the bill which was amended yesterday. I would have to object to it going over in its order.

The amendment which was inserted yesterday was the one which mandated a prison sentence for the use of a weapon in the commission of a crime.

Mr. President, I request a roll call vote on the request.

MOTION FOR BILL OVER IN ORDER

Senator NOLAN. Mr. President, I move that House Bill No. 1509 go over in its order.

The PRESIDING OFFICER. It has been moved by Senator Nolan that House Bill No. 1509 go over in its order.

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

Senator DOUGHERTY. Mr. President, I object to the motion.

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

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

YEAS—23

Table with 4 columns of names: Ammerman, Kelley, Murray, Ross; Arlene, Lewis, Nolan, Scanlon; Cianfrani, Lynch, Noszka, Smith; Duffield, McKinney, O'Pake, Sweeney; Hankins, Mellow, Orlando, Zemprelli; Hill, Messinger, Romanelli.

NAYS—26

Table with 4 columns of names: Andrews, Frame, Kury, Reibman; Bell, Hager, Lentz, Snyder; Dougherty, Hess, Manbeck, Stapleton; Dwyer, Hobbs, Moore, Stauffer; Early, Holl, Murphy, Tilghman; Ewing, Howard, Myers, Wood; Fleming, Jubelirer.

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

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

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

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

Amend Sec. 1 (Sec. 6163), page 2, line 18, by striking out "a person" in line 18, all of lines 19

through 22 on page 2 and inserting: while acting within the course of their employment as students while actively engaged in a school-related activity involving the use of a deadly weapon. In no case shall a deadly weapon be in the possession of any student on a school bus at a time when any other student is a passenger.

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

Senator DUFFIELD. Mr. President, what this amendment would do is allow police officers to carry a deadly weapon in the school while they were in the course of their employment. It would eliminate, as the amendment of the gentleman from Montgomery, Senator Fleming, did yesterday, the exception of a person licensed to carry a deadly weapon being in school armed with a deadly weapon, because so many people have deadly weapons, have a license to carry them. Just because they have a license to carry them, we can see no reason why they should be permitted in a school building even though they are licensed to carry deadly weapons.

Also, they would add that in no case shall a deadly weapon be in the possession of any student on a school bus at a time when any other student is a passenger. We feel it is very unsafe for any student to have a deadly weapon on a school bus. The bill as enacted would not prohibit that.

Therefore, it would permit a police officer to carry a deadly weapon in the school during the course of his employment. We cannot see a police officer at night, going to a PTA meeting or some other event where he is just a guest, carrying a gun at that meeting. The amendment would also prohibit any deadly weapon to be carried on a school bus as long as there was another passenger on the school bus.

Senator FLEMING. Mr. President, I rise to oppose the amendment of the gentleman from Fayette County, Senator Duffield, for the very simple reason that when we say peace officers, we refer to police officers. First of all, the gentleman's principal thrust of the amendment would be unenforceable. Peace officers, namely policemen, may carry a gun at any time on or off duty, and do, and this is a requirement of many police departments. I am fairly sure that this is a requirement for police officers in the City of Philadelphia. They never know when they will be called upon to be on duty even though they are off duty, and it simply is not safe in many areas, in many of our urban areas, for a police officer not to carry his weapon.

All kinds of things have been prevented. All kinds of crimes have been prevented or deterred simply because the police officer had his weapon at the time. To infringe this right of our law enforcement people seems just utterly unwise to me.

Mr. President, I would ask that my colleagues on both sides of the aisle oppose this amendment with a "no" vote and request a roll call.

Senator NOLAN. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Fleming.

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

Senator FLEMING. I will, Mr. President.

Senator NOLAN. Mr. President, was there not an amendment offered yesterday on the floor of the Senate, that was later withdrawn, after the gentleman from Fayette, Senator Duffield, said he had a like amendment?

Senator FLEMING. Mr. President, the thrust of my amendment yesterday was entirely different from the thrust of the amendment of the gentleman from Fayette, Senator Duffield. My amendment, and I have it right here, struck out "a person licensed to carry a deadly weapon," meaning a student. This would infer that a student could be licensed within a school building to carry a deadly weapon. It did not carry over to peace officers and there is the significant difference between the two amendments. I withdrew my amendment because I did not want to confuse the issue. But certainly my amendment had absolutely nothing to do with peace officers. By the way, in passing, I should mention that the gentleman from Chester, Senator Stauffer, had an instance of this kind where a family was threatened and the student was licensed to carry a weapon. This would have prevented that student from carrying that weapon. But my thrust was to students who were licensed to carry weapons, and I see no reason for students being licensed to carry weapons in a school building.

Senator NOLAN. Mr. President, after the amendment was withdrawn yesterday it was stated on the floor of the Senate, it is my understanding, that the gentleman from Montgomery, Senator Fleming, and the gentleman from Fayette, Senator Duffield, would meet together to come up with an amendment that was agreeable to both of the gentlemen. Am I correct in this?

Senator FLEMING. Mr. President, that was the assumption yesterday and, to answer the gentleman's question, the gentleman from Fayette, Senator Duffield, and I did have conversation several times. I had told the gentleman that I would withdraw my amendment rather than confuse the issue and I thought that he would, perhaps, do the same. It is obvious at this point that the gentleman from Fayette, Senator Duffield, did not feel that he wanted to withdraw his amendment and hence we are in this debate.

Senator NOLAN. Mr. President, I would say that since the gentleman from Fayette, Senator Duffield, and the gentleman from Montgomery, Senator Fleming, could not arrive at an amendment agreeable to both, there be an "aye" vote in accepting the amendment of the gentleman from Fayette, Senator Duffield, at this time.

Senator DUFFIELD. Mr. President, I know of no provision of the Criminal Code, or any other code, that permits a police officer to carry a weapon when he is not on duty and, in fact, the Pennsylvania State Police do not permit it. Now a peace officer includes a multitude of sins. I can conceive of the possibility of a deputy constable, who is a peace officer in plain clothes, appointed by the constable with the permission of the court, attending a PTA meeting at which he has no reason to be armed at all. He is another citizen when he is not on duty. Even a city police officer in Philadelphia has no reason to flaunt that gun when he is not on duty, to carry a gun to a PTA meeting, or any other kind of a protest meeting, in any town, when he is not on duty. The fact that he is a peace officer does not give him any more privilege when he is off duty than any person else. I would hate to see some of the deputy constables I know go to a PTA meeting and get aroused over some issue of busing or some-

thing like that that might be raised, and start brandishing a gun.

Mr. President, my amendment does permit them, if they are on duty, if they are hired by the school board or the football team or something like that, when they are in the course of their employment, to be armed, to carry a gun, but if he is just going to a school for a social affair, or if he is just going to school to participate in something like PTA activities, I think he had better leave that gun at home.

#### PARLIAMENTARY INQUIRY

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

The PRESIDENT pro tempore. The gentleman from Blair, Senator Jubelirer, will state it.

Senator JUBELIRER. Mr. President, if the amendment of Senator Duffield was to be adopted, would that have the effect of recommitting the bill and thus killing it?

The PRESIDENT pro tempore. If the amendment is adopted, the bill is on the tenth day, it will go over as amended and go off the Calendar.

Senator HAGER. Mr. President, it appears that the amendment of the gentleman from Fayette, Senator Duffield, is to Printer's No. 3132 and this is Printer's No. 3401, I believe, on the Calendar and the amendment does not fit anywhere in the language of the bill.

Senator DOUGHERTY. Mr. President, I desire to interrogate the gentleman from Fayette, Senator Duffield.

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

Senator DUFFIELD. I will, Mr. President.

Senator DOUGHERTY. Mr. President, it is my understanding that the police officers, at least in Philadelphia, are required by the commissioner to carry their weapons with them at all times. I would take it then that the amendment of the gentleman from Fayette, Senator Duffield, would negate the authority of the police commissioner in Philadelphia and, therefore, the police officers would not be permitted to carry their weapons at all times.

Senator DUFFIELD. Mr. President, I know nothing about any regulations in Philadelphia. However, the same thing would apply to a police officer in Philadelphia as would apply any place else. I cannot see why a State policeman, who might have a daughter at a social dance and he is chaperoning her, should be allowed to carry a gun at the junior prom, whether it is in Philadelphia or whether it is in Bucks County.

Senator DOUGHERTY. Mr. President, the only point I am making—I am not arguing the point with the gentleman from Fayette, Senator Duffield—is that in effect, police officers in Philadelphia currently are permitted to carry their weapon, they are ordered by the commissioner to carry their weapons with them at all times. This amendment then would negate the order of the commissioner and that is the only point I was trying to make.

Senator HILL. Mr. President, we are going to have a meeting of the Judiciary Committee in two weeks to consider Senate Bill No. 556, which is the bill on the mandatory penalty for carrying a gun in the commission of a crime.

**The PRESIDING OFFICER (H. Craig Lewis) in the Chair.**

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

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

## YEAS—28

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

## NAYS—21

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

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

## MOTION TO LAY ON THE TABLE

Senator FRAME. Mr. President, I move that House Bill No. 1509, Printer's No. 3401, as amended, be placed on the table. I request a roll call vote.

The PRESIDING OFFICER. May we be at ease for a moment?

(The Senate was at ease.)

## MOTION RULED OUT OF ORDER

The PRESIDING OFFICER. Senator Frame, the motion would appear to be out of order in light of the fact that the Rules specifically state that after ten days the bill is to be referred back to committee, and that the only motion that would be in order at this time would be a motion to suspend the rules.

As a point of clarification, the motion had been made by Senator Frame to lay House Bill No. 1509 on the table. It is the ruling of the Chair that the motion is out of order, and that it is not in compliance with the Rules of the Senate.

## RULING OF CHAIR APPEALED

Senator FRAME. Mr. President, I appeal the ruling of the Chair in this regard.

The PRESIDING OFFICER. The ruling of the Chair has been appealed.

## PARLIAMENTARY INQUIRY

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

The PRESIDING OFFICER. The gentleman from Allegheny, Senator NOLAN, will state it.

Senator NOLAN. Mr. President, the ruling of the Chair is based on the Rules of the Senate passed by this Senate?

The PRESIDING OFFICER. That is correct, Senator.

Senator NOLAN. Mr. President, I would ask that the ruling of the Chair be upheld.

## PARLIAMENTARY INQUIRY

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

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

Senator BELL. Mr. President, I would like an interpretation of your ruling. Is your ruling, sir, that the tenth legislative day has expired?

The PRESIDING OFFICER. No, Senator. It is the ruling of the Chair that the reading of the Rules indicates that the Senate must take final action upon any bill within ten legislative days. A motion to table a bill is not a final action.

The ruling of the Chair has been appealed.

The question before the Senate is,

Shall the Senate sustain the ruling of the Chair?

Those voting "aye," vote in favor of the ruling of the Chair. Those voting "no," vote to appeal the ruling of the Chair.

Senator FRAME. Mr. President, I would ask for a roll call vote.

And the question recurring,

Shall the Senate sustain the ruling of the Chair?

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

## YEAS—29

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

## NAYS—20

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

So the question was determined in the affirmative, and the ruling of the Chair was sustained.

## MOTION TO SUSPEND RULE OF THE SENATE

Senator FRAME. Mr. President, I do now move suspension of Rule XI of the Senate of Pennsylvania and that House Bill No. 1509 be placed upon the table.

The PRESIDING OFFICER. It has been moved by Senator Frame that Rule XI be suspended and that House Bill No. 1509 be placed upon the table.

On the question,

Will the Senate agree to the motion?

Senator NOLAN. Mr. President, I would ask all the Senators to oppose setting aside the Rules of this Senate.

The PRESIDING OFFICER. It has been moved that the Senate suspend Rule XI.

The question before the Senate is,

Shall Rule XI be suspended for the purpose of placing House Bill No. 1509 on the table?

Those voting "aye," will vote in favor of the motion to suspend the Rules. Those voting "no," will be voting against the motion to suspend the Rules.

We will be at ease for a moment.

(The Senate was at ease.)

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—20

|   |   |  |  |
|---|---|--|--|
| Andrews,<br>Bell,<br>Dougherty,<br>Dwyer,<br>Ewing, | Fleming,<br>Frame,<br>Hager,<br>Hess,<br>Hobbs, | Holl,<br>Howard,<br>Jubelrler,<br>Lentz,<br>Manbeck, | Moore,<br>Snyder,<br>Stauffer,<br>Tilghman,<br>Wood, |
|---|---|--|--|

NAYS—29

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

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

The PRESIDING OFFICER. House Bill No. 1509 will go over in its order, as amended.

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1542 (Pr. No. 1930)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelrler,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>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 1690 (Pr. No. 3154)**—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,<br>Andrews,<br>Arlene,<br>Bell, | Hankins,<br>Hess,<br>Hill,<br>Hobbs, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon, |
|---|--------------------------------------|--|---|

|   |  |  |  |
|---|--|--|--|
| Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Holl,<br>Howard,<br>Jubelrler,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>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.

**HB 1818 (Pr. No. 2327)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelrler,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>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.

**HB 1893 (Pr. No. 3360)**—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,<br>Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Early,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelrler,<br>Kelley,<br>Kury,<br>Lentz,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Messinger,<br>Moore,<br>Murphy,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>O'Pake,<br>Orlando, | Reibman,<br>Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stapleton,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>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.

#### BILL OVER IN ORDER

**HB 2002**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

#### BILL ON THIRD CONSIDERATION REVERTED TO PRIOR PRINTER'S NUMBER AND AMENDED

**HB 2071 (Pr. No. 3271)**—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. 2071 revert to the form it was in under Printer's No. 3083.

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

The PRESIDING OFFICER. The Senate now has before it House Bill No. 2071, Printer's No. 3083.

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. 2, page 2, line 30, by striking out "in 60 days." and inserting: immediately.

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 third consideration, as amended?

#### MURPHY AMENDMENTS

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

Amend Title, page 1, line 11, by inserting after "for": the disposition and

Amend Sec. 1 (Sec. 16), page 2, line 2, by inserting brackets before and after "Commerce." and inserting immediately thereafter: Community Affairs.

Amend Sec. 1 (Sec. 16), page 2, line 3, by inserting brackets before and after "Commerce" and inserting immediately thereafter: Community Affairs

Amend Sec. 1 (Sec. 16), page 2, line 4, by inserting brackets before and after "Commerce" and inserting immediately thereafter: Community Affairs

Amend Sec. 1 (Sec. 16), page 2, line 15, by inserting brackets before and after "Commerce" and inserting immediately thereafter: Community Affairs

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

Senator MURPHY. Mr. President, I request the Clerk to correct the printer's number on the amendments, Mr. President, because these amendments were prepared before the reversion to the prior printer's number.

The PRESIDING OFFICER. The Clerk is so instructed. 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, I would understand that the effect of the amendments proposed by the gentleman from Washington, Senator Murphy, would be to transfer the administration of this program from the Department of Commerce to the Department of Community Affairs.

Senator MURPHY. That is correct, Mr. President.

Senator FRAME. Mr. President, on that basis I would urge a "no" vote on the amendments and ask for a roll call.

Senator MURPHY. Mr. President, the purpose of the amendments is to transfer the Community Facilities Fund Program to the Department of Community Affairs, where it should have been placed at its origin. The Department of Community Affairs handles many community facilities grant programs and I believe that they could better coordinate these programs if this one, the Community Facilities Grant Act, could be included within the scope of their authority and duties.

Senator TILGHMAN. 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 TILGHMAN. Mr. President, could the gentleman inform us how long this program has been in the Department of Commerce?

Senator MURPHY. Since its inception with the creation of the State Harness Racing Fund, Mr. President, and I believe that was in 1960, 1961.

Senator TILGHMAN. 1959, Mr. President.

Senator MURPHY. Mr. President, it was 1960. I recall voting for the Act in 1959; it was effective in 1960.

Senator TILGHMAN. Mr. President, have there been any complaints in the years since then as to the operation of this program in the Department of Commerce?

Senator MURPHY. Yes, Mr. President, I have. I have registered my complaints with the Department of Commerce on numerous occasions.

Senator TILGHMAN. Thank you, Mr. President. I appreciate those remarks. I do not see any particular reason to juggle this fund around from one department, where it has been from 1959 until the present, to another department. Maybe the gentleman has received some complaints. I have been following harness and flat racing fairly religiously and I have heard no complaints as to the operation of this fund by the Department of Commerce, and I recommend that we leave it there and vote against these amendments.

Senator MELLOW. Mr. President, I also rise to speak against the amendments. I have had many dealings with

the Department of Commerce on this particular appropriation and I, myself, have not had any complaints. I think, since the Department of Commerce has been handling this for the number of years that they have been, unless there is some reason why it should be changed from the Department of Commerce to the Department of Community Affairs other than the fact that one of our Members has received several complaints, I do not think that, in itself, warrants a transfer of jurisdiction from the Department of Commerce to the Department of Community Affairs.

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

Senator EWING. Mr. President, I would also oppose the amendments. I have not had any problems with the handling of this fund by the Department of Commerce. Furthermore, if you put it in the Department of Community Affairs under its present direction, we might find some strange interpretations whereby the Secretary, as he has in other instances, might find that because he does not agree with the zoning practices of the municipality that he might determine that that municipality is not eligible for funds available to this fund.

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

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

## YEAS—6

|                     |                       |         |            |
|---------------------|-----------------------|---------|------------|
| Ammerman,<br>Early, | Messinger,<br>Murphy, | O'Pake, | Stapleton, |
|---------------------|-----------------------|---------|------------|

## NAYS—42

|   |  |  |  |
|---|--|--|--|
| Andrews,<br>Arlene,<br>Bell,<br>Cianfrani,<br>Dougherty,<br>Duffield,<br>Dwyer,<br>Ewing,<br>Fleming,<br>Frame,<br>Hager, | Hankins,<br>Hess,<br>Hill,<br>Hobbs,<br>Holl,<br>Howard,<br>Jubelirer,<br>Kelley,<br>Kury,<br>Lewis,<br>Lynch, | Manbeck,<br>McKinney,<br>Mellow,<br>Moore,<br>Murray,<br>Myers,<br>Nolan,<br>Noszka,<br>Orlando,<br>Reibman, | Romanelli,<br>Ross,<br>Scanlon,<br>Smith,<br>Snyder,<br>Stauffer,<br>Sweeney,<br>Tilghman,<br>Wood,<br>Zenaprelli, |
|---|--|--|--|

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

The PRESIDING OFFICER. House Bill No. 2071 will go over, as amended.

## BILL OVER IN ORDER

**HB 2073**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

## RECONSIDERATION OF HB 1883

## BILL OVER IN ORDER ON FINAL PASSAGE

**HB 1883 (Pr. No. 2871)**—Senator NOLAN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1883, Printer's No. 2871, failed of final passage on June 7, 1976.

The motion was agreed to.

And the question recurring,  
Shall the bill pass finally?

Senator NOLAN. Mr. President, I request that House Bill No. 1883 go over in its order and appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, the bill will be placed on tomorrow's Final Passage Calendar.

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

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

#### MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

May 25, 1976

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 14, 1976, for the appointment of J. Clair Simler (Republican), 207 Curtis Street, Philipsburg 16866, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Centre County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Reverend Leon B. Hall, State College, whose term expired.

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

MILTON J. SHAPP

#### NOMINATION RETURNED TO THE GOVERNOR

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

The motion was agreed to.

The PRESIDING OFFICER. The nomination will be returned to the Governor.

### REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

#### MEMBER OF THE ADVISORY HEALTH BOARD

March 29, 1976

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

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

Joseph Greco, M.D., 300 South Hickory Street, Mount Carmel 17851, Northumberland County, (Reappointment), Twenty-seventh Senatorial District, to serve until the third Tuesday of January 1980, and until his successor is appointed and qualified.

MILTON J. SHAPP

#### COMMISSIONER OF DEEDS

May 25, 1976

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



In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James N. Browne, 13 Walker Road, North Andover, Essex County, Massachusetts 01845, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the Commonwealth of Massachusetts, for the term of five years, to compute from the date of confirmation.

MILTON J. SHAPP

MEMBERS OF THE INDUSTRIALIZED HOUSING  
ADVISORY COMMISSION

May 7, 1976

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 Industrialized Housing Advisory Commission:

Julius B. Uehlein (Labor Union), 233 Winding Way, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, to serve until December 18, 1978, and until his successor is appointed and qualified.

Ronald A. Johnson (Manufacturer), R. D. 1, Box 262, Spruce Hills, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, to serve until December 20, 1978, and until his successor is appointed and qualified.

Robert Henry Allen Laudenslager (Developer), 2228 Walnut Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, to serve until December 20, 1978, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

May 7, 1976

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 Examiners of Nursing Home Administrators:

Kathleen V. Repici, B.S. (Nursing), 1954 Moreland Road, Abington 19001, Montgomery County, Twelfth Senatorial District, to serve until November 19, 1978, and until her successor is appointed and qualified.

MILTON J. SHAPP

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

May 7, 1976

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 Philip A. Rosenfeld, M.D., 355 Wenner Way, Fort Washington 19034, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Board of Trustees of Pennhurst State School and Hospital, to serve until the third Tuesday of January 1979, and until his successor is appointed and qualified, vice Charles T. Mitchell, Philadelphia, deceased.

MILTON J. SHAPP

MEMBERS OF THE PUBLIC SCHOOL EMPLOYEES'  
RETIREMENT BOARD

March 29, 1976

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 as members of the Public School Employees' Retirement Board, pursuant to Act 96, approved October 2, 1975:

John D. Killian, Esquire, 3737 Maple Street, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, to serve until January 1, 1977.

William Francis Jacobs, Jr., Esquire, Apartment 101, 5619 Kentucky Avenue, Pittsburgh 15232, Allegheny County, Thirty-eighth Senatorial District, to serve until January 1, 1979.

MILTON J. SHAPP

MEMBERS OF THE RENAL DISEASE ADVISORY  
COMMITTEE

May 7, 1976

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 Renal Disease Advisory Committee:

Doctor J. D. Lasher (Hospitals and Medical Schools), 1611 Peach Street, Erie 16501, Erie County, Forty-ninth Senatorial District, to serve until November 28, 1977, and until his successor is appointed and qualified.

Doctor Frank J. Sweeney (Hospitals and Medical Schools), 95 Overhill Road, Bala-Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, to serve until November 28, 1977, and until his successor is appointed and qualified.

Doctor Bradford K. Strock (Medicine in all branches), 600 West Main Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, to serve until November 28, 1977, and until his successor is appointed and qualified.

Joseph J. Mowad, M.D. (Public Member), Frosty Hills Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, to serve until November 28, 1977, and until his successor is appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE STATE TRANSPORTATION  
COMMISSION

May 7, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Transportation Commission:

Isadore A. Shrager, Esquire (Democrat), 2308 North 51st Street, Philadelphia 19131, Philadelphia County (Re-appointment), Seventh Senatorial District, to serve until February 7, 1982, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE WASHINGTON CROSSING  
PARK COMMISSION

May 7, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the Washington Crossing Park Commission:

Charles Ford, Jacksonville Road, Warminster 18974, Bucks County, Twelfth Senatorial District, to serve until the third Tuesday of January 1979, and until his successor shall have been appointed and qualified, to fill a vacancy.

MILTON J. SHAPP



## DISTRICT JUSTICE OF THE PEACE

May 18, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. Cowperthwait, R. D. 1, Box 123, Forest City 18421, Susquehanna County, Twentieth Senatorial District, for appointment as District Justice of the Peace in and for the County of Susquehanna, Class 3, District 03, to serve until the first Monday of January, 1978, vice Joseph A. Walsh, Forest City, Declined.

MILTON J. SHAPP

MEMBERS OF THE BERKS COUNTY  
BOARD OF ASSISTANCE

March 26, 1976

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 Berks County Board of Assistance:

Mrs. Mazie Bartlett (Democrat), 440 Miltimore Street, Reading 19604, Berks County, Eleventh Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

Mrs. Esther C. Blatt (Republican), R. D. 1, Leesport 19533, Berks County, Eleventh Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE BUTLER COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ms. Renee Vivian Moyer (Democrat), Cliffside Apartments No. 305, Butler, Butler County 16001, Twenty-first Senatorial District, for appointment as a member of the Butler County Board of Assistance, to serve until December 31, 1977, and until her successor is duly appointed and qualified, vice Mrs. Diana Lee Sneeringer, Renfrew, resigned.

MILTON J. SHAPP

MEMBERS OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

April 7, 1976

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 Chester County Board of Assistance:

Warren H. Burton (Democrat), 122 West Chestnut Street, West Chester 19380, Chester County, Nineteenth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Ms. Frances Majors (Republican), 422 Hannum Avenue, West Chester 19380, Chester County, Nineteenth Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE CLINTON COUNTY  
BOARD OF ASSISTANCE

May 13, 1976

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 Clinton County Board of Assistance:

Michael L. Peters (Democrat), 133-11th Street, Renova 17764, Clinton County, Twenty-fifth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE COLUMBIA COUNTY  
BOARD OF ASSISTANCE

May 3, 1976

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 Columbia County Board of Assistance:

Richard Megargell (Democrat), Pine Street, Orangeville 17859, Columbia County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Mrs. Ruth Garrison (Democrat), 401 East Fifth Street, Berwick 18603, Columbia County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE CRAWFORD COUNTY  
BOARD OF ASSISTANCE

May 3, 1976

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. Hildegard A. Smith (Democrat), 402 West Main Street, Titusville 16354, Crawford County, Twenty-fifth Senatorial District, for reappointment as a member of the Crawford County Board of Assistance, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE CRAWFORD COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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 Sister Mary W. Opferman (Democrat), 110 Canfield Street, Cambridge Springs, 16403, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Crawford County Board of Assistance, to serve until December 31, 1978, and until her successor is duly appointed and qualified, vice Mrs. Evelyn Mary Yeager, Meadville, whose term expired.

MILTON J. SHAPP

MEMBER OF THE ELK COUNTY  
BOARD OF ASSISTANCE

April 7, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ms. Esther K. Sickeri (Democrat), Toby Valley, Dagus Mines 15831, Elk County, Twenty-fifth Senatorial District, for reappointment as a member of the Elk County Board of Assistance, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE ELK COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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 Hugo Marnatti (Democrat), 300 Vernon Avenue, Ridgeway 15853, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice James A. Meyer, Esquire, St. Marys, resigned.

MILTON J. SHAPP

MEMBERS OF THE FOREST COUNTY  
BOARD OF ASSISTANCE

May 3, 1976

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 Forest County Board of Assistance:

Mrs. Margaret Kingston (Democrat), P. O. Box 385, Tionesta 16353, Forest County, Twenty-fifth Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

Ronald Mosley (Democrat), Box 101, Marienville 16239, Forest County, Twenty-fifth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE FULTON COUNTY  
BOARD OF ASSISTANCE

May 20, 1976

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. Helen Bard (Democrat), R. D. 1, McConnelsburg 17233, Fulton County, Thirty-third Senatorial District, for appointment as a member of the Fulton County Board of Assistance, to serve until December 31, 1976, and until her successor is duly appointed and qualified, vice Mrs. Jean Mellott, Big Cove Tannery, declined.

MILTON J. SHAPP

MEMBERS OF THE LAWRENCE COUNTY  
BOARD OF ASSISTANCE

May 13, 1976

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 Lawrence County Board of Assistance:

Gary F. Cartwright (Democrat), T214 Wilmington Avenue, New Castle 16101, Lawrence County, Twenty-first Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Anthony Folino (Democrat), 231 Orchard Way, Ellwood City 16117, Lawrence County, Twenty-first Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE McKEAN COUNTY  
BOARD OF ASSISTANCE

May 4, 1976

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

In conformity with law, I have the honor hereby to nominate the following for reappointment as members of the McKean County Board of Assistance:

John F. Evans (Democrat), 9 Chris Drive, Bradford 16701, McKean County, Twenty-fifth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Mrs. J. Joanne Fishkin (Democrat), 53 Orchard Place, Bradford 16701, McKean County, Twenty-fifth Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE MONROE COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Monroe County Board of Assistance:

Lewis Raymond Lewis (Democrat), Legion Drive, Mountainhome 18342, Monroe County, Twentieth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Mrs. Martha G. Kitchen, Pocono Lake, whose term expired.

Mrs. Trudy Denlinger (Republican), P. O. Box 7, Pocomo Pines 18350, Monroe County, Twentieth Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified, vice Neal S. Rote, Stroudsburg, whose term expired.

MILTON J. SHAPP

MEMBERS OF THE MONTOUR COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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 Montour County Board of Assistance:

Mrs. Ruth Folk (Democrat), 930 East Market Street, Danville 17821, Montour County, Twenty-seventh Senatorial District, to serve until December 31, 1978 and until her successor is duly appointed and qualified.

Miss Nellie Ryan (Democrat), 315 Beaver Place, Beaver Apartments, Danville 17821, Montour County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE NORTHAMPTON COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Altimara (Democrat), 686 Pine Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Anthony S. Kish, Bethlehem, whose term expired.

MILTON J. SHAPP

MEMBERS OF THE PIKE COUNTY  
BOARD OF ASSISTANCE

May 20, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Pike County Board of Assistance:

Norman A. Helms (Republican), 311 West Catherine Street, Milford 18337, Pike County, Twentieth Senatorial District, to serve until December 31, 1976, and until his successor is duly appointed and qualified, vice Mrs. Beverly Hodgson, Matamoras, resigned.

Ms. Gwendolyn H. Crellin (Democrat), 304 West Catherine Street, Milford 18337, Pike County, Twentieth Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified, vice Malcolm D. Scott, Bushkill, terminated.

MILTON J. SHAPP

MEMBER OF THE POTTER COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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. Florence M. Grabe (Democrat), 107 East Third Street, Coudersport 16915, Potter County, Twenty-fifth Senatorial District, for reappointment as a member of the Potter County Board of Assistance, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE POTTER COUNTY  
BOARD OF ASSISTANCE

May 20, 1976

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 Donald R. Freeman (Republican), R. D. 1, Ulysses 16948, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice William A. Stavisky, Shinglehouse, whose term expired.

MILTON J. SHAPP

MEMBERS OF THE SNYDER COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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 Snyder County Board of Assistance:

Mrs. Ann Bergstresser (Democrat), 116 South Front Street, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until her successor is duly appointed and qualified.

Mrs. Phyllis E. Hummel (Republican), R. D. 2, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE SNYDER COUNTY  
BOARD OF ASSISTANCE

May 18, 1976

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 Reverend Lee S. Deppen (Democrat), Beavertown 17813, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Snyder County Board of Assistance, to serve until December 31, 1976, and until his successor is duly appointed and qualified, vice John W. Bittinger, Hummels Wharf, resigned.

MILTON J. SHAPP

MEMBERS OF THE SUSQUEHANNA COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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 Susquehanna County Board of Assistance:

Donald Chamberlain (Democrat), Box 53, Montrose 18801, Susquehanna County, Twentieth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Reverend Eugene Daniel Geromel, Jr. (Independent), Box 406, New Milford 18834, Susquehanna County, Twentieth Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBERS OF THE UNION COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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 Union County Board of Assistance:

Douglas K. Candland (Democrat), 125 Stein Lane, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

Prof. Matthew Silberman (Democrat), 818 St. Paul Street, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE VENANGO COUNTY  
BOARD OF ASSISTANCE

May 20, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ms. Isabell R. Findlan (Democrat), 517 Twelfth Street, Franklin 16323, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Venango County Board of Assistance, to serve until December 31, 1977, and until her successor is duly appointed and qualified, vice Mrs. Mary Ann Richardson, Franklin, resigned.

MILTON J. SHAPP

MEMBER OF THE WAYNE COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John R. Pollack, (Democrat), R. D. 1, Bethany Boro, Honesdale 18431, Twentieth Senatorial District, for re-appointment as a member of the Wayne County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

MEMBER OF THE WYOMING COUNTY  
BOARD OF ASSISTANCE

May 6, 1976

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 Gary Krewson (Democrat), R. D. 1, Lake Carey, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the Wyoming County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified.

MILTON J. SHAPP

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator AMMERMAN,

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

Which was agreed to.

**CONSIDERATION OF EXECUTIVE NOMINATIONS**

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

**NOMINATIONS LAID ON THE TABLE**

Senator AMMERMAN. Mr. President, I request that the names of John D. Killian and William F. Jacobs, Jr., as members of the Public School Employees' Retirement Board and William F. Cowperthwait as District Justice of the Peace in and for the County of Susquehanna be laid on the table.

The PRESIDING OFFICER. The nominations will be laid on the table.

**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—49**

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

**NAYS—0**

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

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

The motion was agreed to.

**CONSIDERATION OF CALENDAR RESUMED**

**HB 1956 CALLED UP OUT OF ORDER**

**HB 1956 (Pr. No. 3361)**—Without objection, the bill was called up out of order, from page 10 of the Second Consideration Calendar, by Senator NOLAN.

**BILL ON SECOND CONSIDERATION**

**HB 1956 (Pr. No. 3361)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

**HB 1957 CALLED UP OUT OF ORDER**

**HB 1957 (Pr. No. 3362)**—Without objection, the bill was called up out of order, from page 10 of the Second Consideration Calendar, by Senator NOLAN.

**BILL ON SECOND CONSIDERATION**

**HB 1957 (Pr. No. 3362)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

**SECOND CONSIDERATION CALENDAR**

**BILL REREPORTED FROM COMMITTEE  
AS AMENDED OVER IN ORDER**

**SB 340**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

## BILL OVER IN ORDER

**HB 2**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

## BILL ON SECOND CONSIDERATION

**SB 136 (Pr. No. 1956)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

## BILLS OVER IN ORDER

**HB 167, 305, 485 and 797**—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

## BILLS ON SECOND CONSIDERATION

**SB 1237 (Pr. No. 1482) and SB 1340 (Pr. No. 1931)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration

## BILLS OVER IN ORDER

**HB 1409 and SB 1425**—Without objection, the bills were passed over in their order at the request of Senator NOLAN.

## BILL ON SECOND CONSIDERATION

**HB 1462 (Pr. No. 3356)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

## BILL OVER IN ORDER

**SB 1478**—Without objection, the bill was passed over in its order at the request of Senator NOLAN.

## BILLS ON SECOND CONSIDERATION

**SB 1479 (Pr. No. 1844), HB 1642 (Pr. No. 2797) and HB 2178 (Pr. No. 3357)**—Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

## BILL RECOMMITTED

**HB 2202 (Pr. No. 2884)**—Upon motion of Senator NOLAN, and agreed to, the bill was recommitted to the Committee on State Government.

## UNFINISHED BUSINESS

## REPORTS FROM COMMITTEES

Senator CIANFRANI, from the Committee on Appropriations, rereported, as committed, **HB 615 and 1643**; as amended, **SB 850, 1465 and HB 694**; reported, as committed, **SB 1189 and 1557**; as amended, **HB 1089 and 1601**.

Senator SMITH, from the Committee on State Government, reported, as committed, **SB 1103, HB 2281 and 2294**; as amended, **SB 959, HB 556 and 1196**.

Senator LYNCH, from the Committee on Transportation, reported, as committed, **HB 1231**.

Senator STAPLETON, from the Committee on Agriculture, reported, as amended, **HB 219**.

Senator REIBMAN, from the Committee on Education, reported, as committed, **SB 1412, 1413 and HB 1556**; as amended, **SB 224 and 1517**.

REPORTS OF COMMITTEES  
OF CONFERENCE SUBMITTED

Senator SCANLON submitted the Report of Committee of Conference on **SB 883**, which was placed on the Calendar.

Senator CIANFRANI submitted the Report of Committee of Conference on **SB 1365**, which was placed on the Calendar.

## 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. Charles T. Day and to Mrs. Emma Rose by Senator Hager.

Congratulations of the Senate were extended to Carol Ann Raske and to Norman Martin by Senators T. Newell Wood and Hager.

Congratulations of the Senate were extended to Dr. Wade Wilson by Senator McKinney.

Congratulations of the Senate were extended to Mr. and Mrs. Charles F. Kusch by Senator Murphy.

Congratulations of the Senate were extended to Mr. and Mrs. Andrew Thomson, Mr. and Mrs. A. G. Van-Maurik and to Mr. and Mrs. John Mattys by Senator Early.

## CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Charles H. Jackson and to the family of the late William H. Burchfield by Senator Jubelirer.

## 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 224, 959, 1103, 1189, 1412, 1413, 1517, 1557, HB 219, 556, 1089, 1196, 1231, 1556, 1601, 2281 and 2294.**

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

## COMMUNICATION FROM THE GOVERNOR

NOMINATION BY THE GOVERNOR  
REFERRED TO COMMITTEE

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

MEMBER OF THE BRADFORD COUNTY  
BOARD OF ASSISTANCE

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 Whitney Gardner (Democrat), R. D. 2, Athens 18110, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Bradford County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Richard Hill, Athens, whose term expired.

MILTON J. SHAPP

**ANNOUNCEMENT BY MAJORITY LEADER**

Senator NOLAN. Mr. President, I would like to inform the Senators that next week we will have a three-day Session. I have just been informed that the House has passed the new Motor Vehicle Code by a vote of 157 to 38. Therefore, the Senate will be acting on that next week.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA  
COMMITTEE MEETINGS

| Eastern Daylight Saving Time | DATE AND COMMITTEE  | Room                 |
|------------------------------|---|----------------------|
|                              | WEDNESDAY, JUNE 9, 1976   |                      |
| 9:00 A.M.                    | CONSUMER AFFAIRS<br>Public Hearing on House Bills No. 170 and 502 | Majority Caucus Room |

9:00 A.M. BUSINESS AND COMMERCE  
to consider the nomination of William E. Whitesell as Secretary of Banking and to consider Senate Bills No. 1380, 1507, 1512, 1513; House Bills No. 1310 and 1619  
Local Government Commission Conference Room, room 633

9:30 A.M. FINANCE  
to consider Senate Bill No. 1516; House Bills No. 1538 and 2141  
350

MONDAY, JUNE 14, 1976

12:30 P.M. AGRICULTURE  
to consider Senate Bill No. 1252; House Bills No. 1468, 1607 and 2227  
182

TUESDAY, JUNE 15, 1976

11:00 A.M. EDUCATION  
to consider Senate Bills No. 903, 1421 and House Bill No. 2123  
188

12:00 Noon RULES AND EXECUTIVE NOMINATIONS  
Rules Committee Conference Room

**ADJOURNMENT**

Senator NOLAN. Mr. President, I move that the Senate do now adjourn until Monday, June 14, 1976, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.  
The Senate adjourned at 4:13 p.m., Eastern Daylight Saving Time.