

Legislative Journal

TUESDAY, JUNE 6, 1978

Session 1978

162nd of the General Assembly

Vol. 1, No. 31

SENATE

TUESDAY, June 6, 1978.

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

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

PRAYER

The Chaplain, The Reverend Father BRIAN P. CONRAD, Pastor of St. Theresa's Catholic Church, New Cumberland, offered the following prayer:

Let us pray:

God our Father, we ask Your presence among these Senators as they consider issues of importance to the people of Pennsylvania. Help them to realize that they are Your servants and the servants of Your people. Guide them in making decisions that are pleasing to You and provide for the good of Your people.

We ask this in the Name of Jesus, Your Son. Amen.

JOURNAL APPROVED

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

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

LEAVE OF ABSENCE

Senator MESSINGER asked and obtained leave of absence for Senator ORLANDO, for today's Session.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

June 5, 1978.

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 Morris H. Wolff, Esquire, 422 West Mermaid Lane, Philadelphia 19118, Philadelphia County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until March 7, 1984, and until his successor shall have been appointed and qualified, vice Daniel W. Pennick, Camp Hill, whose term expired.

MILTON J. SHAPP.

DISTRICT JUSTICE OF THE PEACE

June 5, 1978.

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 M. Zyra, 701 Superior Street, Carnegie 15106, Allegheny County, Thirty-seventh Senatorial District, for appointment as District Justice of the Peace in and for the County of Allegheny, Class 2, District 22, to serve until the first Monday of January, 1980, vice Ralph Biondi, Pittsburgh, Terminated.

MILTON J. SHAPP.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate SB 1472, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

CONSIDERATION OF SB 1472

Senator MESSINGER. Mr. President, at this time I request unanimous consent for the immediate consideration of Senate Bill No. 1472.

The PRESIDENT pro tempore. The Chair hears no objection.

SUPPLEMENTAL CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1472 (Pr. No. 1918) — Senator MESSINGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1472.

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—40

Andrews,	Hager,	Lynch,	O'Pake,
Arlene,	Hankins,	Manbeck,	Reibman,
Bell,	Hess,	McCormack,	Romanelli,
Coppersmith,	Holl,	McKinney,	Ross,
Corman,	Hopper,	Mellow,	Scanlon,
Dougherty,	Jubelirer,	Messinger,	Smith,
Duffield,	Kelley,	Moore,	Snyder,
Dwyer,	Kury,	Murray,	Stauffer,
Fumo,	Kusse,	Nolan,	Tilghman,
Gurzenda,	Lewis,	Noszka,	Zemprelli,

NAYS—3

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

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

BILLS SIGNED

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

SB 1472 and HB 76.

GENERAL COMMUNICATION

CHANGE IN MINORITY LEADERSHIP

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

June 5, 1978.

Honorable Mark Gruell
Secretary of the Senate
Main Capitol
Harrisburg, Pennsylvania

Dear Secretary Gruell:

Please be advised that the Minority Caucus has this day elected Senator W. Thomas Andrews as Minority Caucus Chairman.

Sincerely,
HENRY G. HAGER

ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The recessed meeting of the Committee on Judiciary will meet today at 1:30 p.m. in Room 350. The Committee on Rules and Executive Nominations will meet at 2:00 p.m. in the Rules Committee Conference Room.

STUDENTS OF ST. PETER'S SCHOOL PRESENTED TO SENATE

The PRESIDENT pro tempore. At this time I would like to introduce the third grade class from St. Peter's School in Philadelphia. Mrs. Rhodes, their teacher, is with them. With the class is the son of one of our distinguished Senators, Vincent E. Fumo, II, and his sister, Nechole.

If these guests would please rise, the Senate will extend its

usual warm welcome to them. We hope you have an enjoyable visit and you are very welcome to the Senate of Pennsylvania.

(Applause.)

GUESTS OF SENATOR JOSEPH E. GURZENDA PRESENTED TO SENATE

Senator GURZENDA. Mr. President, I would like to introduce to the Senate Father Dudek and Sister Mary Petrine and the students of St. Stanislaus School from Minersville. I would hope that the Senate would extend to these guests its usual warm welcome.

The PRESIDENT pro tempore. We would like the students of St. Stanislaus School and their teachers to rise so that the Senate may extend its usual warm welcome. We hope you have a very enjoyable day in Harrisburg.

(Applause.)

REPORTS FROM COMMITTEE

Senator COPPERSMITH, from the Committee on Public Health and Welfare, reported, as committed, **SB 752, 1427, HB 629 and 1934.**

BILLS INTRODUCED AND REFERRED

Senator HESS presented to the Chair **SB 1507**, entitled:

An Act amending the act of July 19, 1974 (P. L. 489, No. 176), entitled "Pennsylvania No-fault Motor Vehicle Insurance Act," further providing for calculating net loss.

Which was committed to the Committee on Insurance.

Senators HAGER, KUSSE and ANDREWS presented to the Chair **SB 1508**, entitled:

An Act reenacting and amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An Act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," increasing the salary of certain county officers and county commissioners.

Which was committed to the Committee on Local Government.

Senators ROMANELLI, HAGER, DOUGHERTY, CORMAN, MCKINNEY, McCORMACK, JUBELIRER and HOPPER presented to the Chair **SB 1509**, entitled:

An Act amending the act of July 22, 1970 (P. L. 513, No. 178), entitled "Pennsylvania Cigarette Tax Act," increasing the rate of the tax and changing disposition of the tax.

Which was committed to the Committee on Finance.

Senators ROMANELLI, HAGER, DOUGHERTY, CORMAN, MCKINNEY, STOUT, McCORMACK, JUBELIRER and HOPPER presented to the Chair **SB 1510**, entitled:

An Act creating the Pennsylvania Cancer Control and Research Advisory Board and the Pennsylvania Cancer Control and Research Fund, providing authorization for the Secretary of Health, upon the recommendation of the Pennsylvania Can-

cer Control and Research Advisory Board, to award grants and contracts for cancer control and research to nonprofit associations organized in Pennsylvania and to governmental agencies in Pennsylvania.

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

Senators ROMANELLI, REIBMAN, LEWIS, DOUGHERTY and JUBELIRER presented to the Chair **SB 1511**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting false representation relating to kosher meat.

Which was committed to the Committee on Judiciary.

Senators MESSINGER, DWYER, HOWARD, MOORE and LEWIS presented to the Chair **SB 1512**, entitled:

An Act establishing the responsibilities and liabilities of skiers and ski area operators in the sport of skiing.

Which was committed to the Committee on Judiciary.

Senator TILGHMAN presented to the Chair **SB 1513**, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as amended, "Pennsylvania Municipalities Planning Code," providing that the cost of a transcript of testimony for an appeal shall be paid by the appellant.

Which was committed to the Committee on Local Government.

Senators EARLY, ROMANELLI, MELLOW, STAPLETON and SCHAEFER presented to the Chair **SB 1514**, entitled:

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," excluding solar energy systems in determining the value of real estate.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 1515**, entitled:

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," excluding solar energy systems in determining the value of real estate.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 1516**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing special tax provisions as a result of expenditures or improvements involving solar energy sources.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

They also presented to the Chair **SB 1517**, entitled:

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

Which was committed to the Committee on Finance.

Senators EARLY, ROMANELLI, MELLOW and SCHAEFER presented to the Chair **SB 1518**, entitled:

An Act providing for solar easements.

Which was committed to the Committee on Environmental Resources.

Senators MESSINGER, HAGER, STAUFFER and SCANLON presented to the Chair **SB 1519**, entitled:

An Act repealing the act of July 9, 1977 (No. 26), entitled "An act authorizing the General Assembly to meet on certain dates for organizational meetings, requiring the Secretary of the Commonwealth to issue Certificates of Election at certain times."

Which was committed to the Committee on Rules and Executive Nominations.

MEETING OF THE COMMITTEE ON ENVIRONMENTAL RESOURCES

Senator MELLOW. Mr. President, is it possible to hold a short meeting of the Committee on Environmental Resources in order to continue the meeting which was recessed this morning?

The PRESIDENT pro tempore. Where would you like to meet, Senator?

Senator MELLOW. Mr. President, we would like to meet in the Minority caucus room.

The PRESIDENT pro tempore. The Chair hears no objection. There will be a short meeting of the Committee on Environmental Resources in the Minority caucus room.

PERMISSION TO ADDRESS SENATE

Senator STOUT asked and obtained unanimous consent to address the Senate.

Senator STOUT. Mr. President, I was unavoidably detained when the vote was taken on Senate Bill No. 1472. I would like to be recorded in the affirmative.

The PRESIDENT pro tempore. The remarks of the gentleman will be noted in the record.

RECESS

Senator MESSINGER. Mr. President, I request a recess of the Senate until 3:30 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 3:30 p.m., Eastern Daylight Saving Time.

AFTER RECESS

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

**COMMUNICATIONS FROM THE GOVERNOR
APPROVAL OF SENATE BILL**

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor:

SB 1472.

**NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE**

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

**MEMBERS OF HAZARDOUS SUBSTANCES
TRANSPORTATION BOARD**

June 5, 1978.

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 Hazardous Substances Transportation Board:

Gerald F. Hagerty (Private Carrier by Motor Vehicle), 129 Norman Way, Erie 16508, Erie County, Forty-ninth Senatorial District, to serve until March 7, 1984, and until his successor is appointed and qualified.

Benjamin D. Bernstein (Common Carrier by Motor Vehicle), 901 Poplar Street, Philadelphia 19123, Philadelphia County, First Senatorial District, to serve until March 7, 1984, and until his successor is appointed and qualified.

Edwin A. Robb (Fire Services of the State), 434 Clarmont Road, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, to serve until April 12, 1984, and until his successor is appointed and qualified.

MILTON J. SHAPP.

**MEMBER OF THE BOARD OF TRUSTEES OF
WOODVILLE STATE HOSPITAL**

June 5, 1978.

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. Virginia Stratton, 821 Madison Avenue, East Pittsburgh 15112, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Woodville State Hospital, to serve until the third Tuesday of January 1983, and until her successor is appointed and qualified, vice Mrs. Elizabeth S. Stern, Pittsburgh, resigned.

MILTON J. SHAPP.

**CHANGE IN STANDING COMMITTEE OF
THE SENATE**

The PRESIDENT pro tempore. As President pro tempore of the Senate of Pennsylvania, I hereby appoint Senator W. Thomas Andrews to serve as a member of the Committee on Rules and Executive Nominations to fill the vacancy created by the death of Senator Wilmot E. Fleming.

**SENATOR MESSINGER TO VOTE FOR
SENATOR MELLOW**

Senator MESSINGER. Mr. President, at this time I request a legislative leave of absence for the remainder of today's Session for Senator Mellow.

The PRESIDENT pro tempore. The Chair hears no objection and the leave of absence is granted.

CALENDAR

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

**SENATE RECEDES FROM ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO HB 1266**

HB 1266 (Pr. No. 2609) — Senator MESSINGER. Mr. President, I move that the Senate do recede from its amendments nonconcurring in by the House to House Bill No. 1266.

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—33

Arlene, Bell, Coppersmith, Dougherty, Fumo, Gekas, Gurzenda, Hager, Holl,	Howard, Jubelirer, Kury, Lewis, Lynch, McCormack, McKinney, Mellow, Holl,	Messinger, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli, Ross, Scanlon, Schaefer, Smith, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—12

Andrews, Corman, Dwyer,	Early, Hess, Hopper,	Kelley, Kusse, Manbeck,	Moore, Snyder, Stapleton,
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

FINAL PASSAGE CALENDAR

BILL DEFEATED ON FINAL PASSAGE

SB 721 (Pr. No. 1880) — 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—20

Andrews, Bell, Dougherty,	Fumo, Hess, Holl,	Kusse, Lewis, Lynch,	Nolan, Ross, Smith,
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Dwyer, Howard, McKinney, Stauffer,
Early, Jubelirer, Murray, Sweeney,

NAYS—25

Coppersmith, Kelley, Moore, Schaefer,
Corman, Kury, Noszka, Snyder,
Duffield, Manbeck, O'Pake, Stapleton,
Gekas, McCormack, Reibman, Stout,
Gurzenda, Mellow, Romanelli, Tilghman,
Hager, Messinger, Scanlon, Zemprelli,
Hopper,

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

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON
THIRD CONSIDERATION AND FINAL PASSAGE

SB 1466 (Pr. No. 1897) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Coppersmith,	Hopper,	Messinger,	Smith,
Corman,	Howard,	Moore,	Snyder,
Dougherty,	Jubelirer,	Murray,	Stapleton,
Duffield,	Kelley,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Gurzenda,	Manbeck,		

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 1467 (Pr. No. 1861) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Coppersmith,	Hopper,	Messinger,	Smith,
Corman,	Howard,	Moore,	Snyder,
Dougherty,	Jubelirer,	Murray,	Stapleton,

Duffield,	Kelley,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Gurzenda,	Manbeck,		

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 1468 (Pr. No. 1862) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Coppersmith,	Hopper,	Messinger,	Smith,
Corman,	Howard,	Moore,	Snyder,
Dougherty,	Jubelirer,	Murray,	Stapleton,
Duffield,	Kelley,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Gurzenda,	Manbeck,		

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 1469 (Pr. No. 1863) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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 1470 (Pr. No. 1864) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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.

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1471 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2279 (Pr. No. 2899) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—44

Andrews,	Hager,	Manbeck,	Romanelli,
Arlene,	Hankins,	McCormack,	Ross,
Coppersmith,	Hess,	McKinney,	Scanlon,
Corman,	Holl,	Mellow,	Schaefer,
Dougherty,	Hopper,	Messinger,	Smith,
Duffield,	Howard,	Moore,	Stapleton,
Dwyer,	Jubelirer,	Murray,	Stauffer,
Early,	Kury,	Nolan,	Stout,
Fumo,	Kusse,	Noszka,	Sweeney,
Gekas,	Lewis,	O'Pake,	Tilghman,
Gurzenda,	Lynch,	Reibman,	Zemprelli,

NAYS—3

Bell, Kelley, Snyder,

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

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

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2247 (Pr. No. 3285) — Considered the third time,

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

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

Amend Sec. 1, page 2, line 1, by inserting after "expenses": including \$30,000 for the operation of the Junior Conservation Camp at Stone Valley

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

Senator DWYER. Mr. President. I believe this is an issue with which we are all familiar. The amendment would amend House Bill No. 2247, at line 1 on page 2, by providing that within that line for education and general expenses, it would add the language, "including \$30,000 for the operation of the Junior Conservation Camp at Stone Valley."

This is an appropriation for \$83,498,000 to the Pennsylvania State University for educational and general expenses and my amendments would require that they would include up to \$30,000 out of this \$83.5 million for partial funding of the Junior Conservation Camp which has historically been sponsored by the Pennsylvania Federation of Sportsmen's Clubs and the Pennsylvania State University.

This amount of money was in their appropriation bill last year signed into law by the Governor, although thus far Penn State University has refused to accede to the wishes of the Legislature by funding the camp this year. That is still being contested.

The General Fund Budget which was signed into law contained, in part, a \$30,000 appropriation for this Junior Conservation Camp. It was blue-lined out of the General Fund Budget.

The amendment once again, as it did last year, calls upon Penn State to fund one-half the cost of the Junior Conservation Camp at Stone Valley with the Federation of Sportsmen's Clubs funding the other half. As I said, it impacts on the \$83.5 million appropriation by an amount up to \$30,000. It has been requested and, of course, is being strongly supported by the Pennsylvania Federation of Sportsmen's Clubs.

I am sure, over the past several months, many of the Members have been contacted by the local sportsmen in support of this very worthy Junior Conservation Camp.

I would ask for a roll call vote and ask the Members to support the amendment. It is an item we have already passed—just during the past few weeks—in the General Fund Budget, and then it was blue-lined by the Governor. Now we have another chance to fund this very valuable camp.

Senator CORMAN. Mr. President, I would urge a "no" vote

on this amendment. By asking for that I do not want to pit the sportsmen against Penn State. There are many of us in this Body who would like to support both.

There are no other organizations that come to Penn State and use their facilities that have an appropriation included in Penn State's appropriation and I do not believe this should have been considered as part of Penn State's appropriation this year. I believe many others agree with that and that is why it was a separate consideration.

It has been blue-lined out by the Governor and I hope we have an opportunity to support it by overriding his veto on that issue. I certainly want to support the sportsmen on that issue.

I do not believe that now is the time to try to put this back into Penn State's appropriation and hold the bill over, as it certainly would.

I would urge everyone to vote "no" on the amendment and to support the sportsmen separately when that opportunity arises.

Senator LEWIS. Mr. President, I rise to join with the gentleman from Centre, Senator Corman, in opposition to the amendment but for a very different reason.

The sportsmen from my area have, in fact, contacted me, as the gentleman from Crawford, Senator Dwyer, anticipated, has probably occurred with most of us. But their contact occurred a few weeks ago when, in the budget bill, which was then being considered by the Committee on Appropriations, the \$30,000 item was specifically included with the Penn State appropriation. They asked that I strongly oppose it because they have no desire to bring themselves under the auspices and control of Pennsylvania State University.

They, too, want this camp to continue to be funded, just as I believe all of us do. They have asked me, at least, to do everything I can to see that that funding is allocated through the Department of Environmental Resources as, in fact, the Committee on Appropriations did with the budget bill which we finally passed.

I am going to vote "no" on the amendment because the appropriate way to fund this is by overriding the Governor's line item veto and restoring these moneys under the direction of the Department of Environmental Resources.

Senator DWYER. Mr. President, just in brief reply to the remarks of the previous two speakers: Even if we do override the Governor's veto—and that becomes possible as a result of the sustaining of the House of the Governor's veto over another appropriation bill this afternoon—according to the Governor's veto message when this was blue-lined out, it was blue-lined out of the Department of Environmental Resources because, as the Governor indicated, this is a nonpreferred appropriation bill. It is unconstitutional to include an appropriation of this type in the General Fund budget.

Thus, this is the only opportunity we do have if we want to fund this very worthwhile camp. It is, I agree, very unfortunate that we do have to include an appropriation like this in this bill. We did so last year; although Penn State has not obeyed the law in their last year's appropriation bill, it is in there to be funded by Penn State.

This came about as a result of the fact that Penn State, under

some kind of a gentleman's agreement with the Sportsmen's Clubs, for many, many years funded this very, very worthwhile camp.

Then, at the camp last summer, the students at the camp were told this would be the last year Penn State would be holding the camp and the result forced the sportsmen to come to the Legislature to put the \$30,000, or up to that amount, in last year's appropriation bill. All I am asking in the amendment is that we do the same thing we did last year.

It would be very nice if this could be funded through DER, as the gentleman from Bucks, Senator Lewis, has suggested, but the Governor has already spoken on it by saying it is a nonpreferred appropriation and must be included in a nonpreferred appropriation bill and is unconstitutional when included in the General Fund budget.

Senator CORMAN. Mr. President, the thought merely occurs to me that if the amendment is not supported, there might be more votes than available, from the various people interested in sportsmen, to help override a veto.

Senator HOLL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Dwyer.

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

Senator DWYER. I will, Mr. President.

Senator HOLL. Mr. President, do I understand that the Pennsylvania Federation of Sportsmen's Clubs supports the amendment?

Senator DWYER. Yes, Mr. President.

Senator HOLL. Mr. President, can the gentleman tell me if that is a part of the Pennsylvania Federation of Sportsmen's Clubs as stated by the gentleman from Bucks, Senator Lewis?

Senator DWYER. Mr. President, I have no idea who contacted the gentleman from Bucks, Senator Lewis. I do know that the Executive Committee of the Pennsylvania Federation of Sportsmen's Clubs supports the amendment. They also supported the inclusion of these funds in the General Appropriations bill but, as I indicated, the Governor's veto message through the Attorney General's office states that that method of funding this camp was in violation of the State Constitution. This is a nonpreferred appropriation and must be dealt with in a nonpreferred appropriation bill.

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

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

Senator LEWIS. I will, Mr. President.

Senator HOLL. Mr. President, the question is: Is the Pennsylvania Federation of Sportsmen's Club unit to which the gentleman referred a region, a county or is it the Pennsylvania Federation of Sportsmen's Clubs? I am trying to find out what it is.

Senator LEWIS. Mr. President, I was personally contacted by presidents of two sportsmen's clubs in my area, both of which, to the best of my understanding, belong to the Pennsylvania Federation. I can only guess that there may, in fact, be differences of opinion on the part of the local clubs, possibly because of different experiences in the last few years of the operation of this camp.

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

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

YEAS—8

Andrews, Dwyer,	Hess, Holl,	Kusse, Snyder,	Stapleton, Stout,
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NAYS—39

Arlene, Bell, Coppersmith, Corman, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda,	Hager, Hankins, Hopper, Howard, Jubelirer, Kelley, Kury, Lewis, Lynch, Manbeck,	McCormack, McKinney, Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman,	Romanelli, Ross, Scanlon, Schaefer, Smith, Stauffer, Sweeney, Tilghman, Zemprelli,
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So the question was determined in the negative, and the amendment was defeated.

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

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

Amend Bill, page 8, line 13, by striking out all of said line and inserting:

Section 13. For the academic year commencing September 1979 and each academic year thereafter the freshman enrollment at the main campus at University Park shall not exceed the freshman enrollment at the University Park Campus for the fall term of academic year 1978.

Section 14. This act shall take effect immediately.

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

Senator DWYER. Mr. President, I would like to explain the amendment briefly and generally state that this is probably the first we will hear of an issue which will be confronting this Legislature with increasing frequency over the next several years. Of course, in the sixties we enjoyed a tremendous boom in college student enrollments here in Pennsylvania. We built a tremendous amount of facilities. Pennsylvania State University installed some twenty-two branch campuses throughout this Commonwealth.

We are now in a period where we are beginning a decline in students and persons eligible to be students. Carnegie commissioned an extensive projection of the demographics here in Pennsylvania which indicates between 1975 and 1985 there will be an eighteen per cent decline in college students in Pennsylvania. Thus, we will be confronted, within the next few years, with deciding what colleges and universities should be propped up by the State and which should be permitted to close.

The first indication of problems comes with the Pennsylvania State University and its twenty-two branch campuses. Under the master plan for higher education of 1962 or 1963 and

amended in 1968 and which is now being revamped by several task forces, the role of the Pennsylvania State University main campus at State College was to have stabilized freshman and sophomore classes with students going there who had particular curriculums which required very expensive equipment and laboratories, et cetera, such as nuclear physics and things of that nature.

The bulk of the freshman and sophomore classes at Pennsylvania State University was to be housed and educated at these twenty-two branch campuses throughout the Commonwealth. The main campus was basically to be for juniors and seniors or for graduate student study. This, as I said, was projected in the master plan for higher education. It was generally agreed to by Pennsylvania State University as I recall and through talking to others.

We now see a problem—and it is basically a military maneuver—where you have a fortress and a number of outposts around the fortress. As the complement of the fortress decreases, you close the outposts and staff the fortress. There is now a trend at Pennsylvania State University where the number of students in the freshman class housed at the Pennsylvania State University has gradually been increasing; the number of students at the Commonwealth campuses represents a decrease. As I said, we are approaching a very basic problem with which we are going to be confronted more and more in the next eight to ten years.

I suppose the problem is one of service to the people of the Commonwealth, whether we want to continue to provide educational opportunities at these branch campuses, whether we want the branch campuses to continue to have the economic impact they do in those local communities or whether they should be diminished or, perhaps, closed; and, also, just the expenditure of State funds, whether we want to continue to increase the physical facilities at the main campus at State College while we leave the tremendous private and public investment in facilities at the branch campuses become empty or less used, not only the branch campuses but, of course, the community colleges and the private colleges of the State which will also feel the impact of this decline.

It is a very basic and fundamental issue which we will be facing in the next few years. This is the first indication that it is beginning to have an impact, as I stated, with the overall decline of enrollment of freshmen at the twenty-two branch campuses and the increase as Penn State continues to build their main campus.

My amendment would very simply state that in the freshman class, beginning September, 1979, a year from this September, they could have no more freshmen on their main campus than they have in their September, 1978, class. Thus, it would cap the freshman class at that level at least for the year 1979 and would, as I said, halt the drain of beginning college students from their branch campuses and other institutions through the Commonwealth that do provide services to the students of those areas and, of course, do have a tremendous economic presence in the communities in which these branch campuses, private colleges and community colleges are located.

This is not a panacea. As I said, it is just a stopgap measure to

stop this trend while the overall problem is addressed on a broad and very technical basis because this is a complicated problem.

Mr. President, I would ask for a roll call vote and support of the amendment.

Senator CORMAN. Mr. President, I urge my colleagues to vote "no" on the amendment. In talking with the people at Penn State, the freshman class has been reasonably stable since 1972. If, in fact, the subject raised by the gentleman from Crawford, Senator Dwyer, is one which needs to be attended to, it certainly should be done after examination of all the issues and all the things which surround that kind of thinking before we just jump in with a meat ax and slice things apart.

They have, at each one of the branch campuses of Penn State, a separate admittance office. They are permitted to admit students directly to the branch campuses. They do not have a singular entrance office at the main campus where they disperse students. Therefore, I do not believe there is any evidence that they are trying to pack the main campus and leave the branch campuses starving.

I might also mention as a matter of politics, it seems to me that all the telephone calls I receive are from people asking, "How can I get my child on to the main campus?" I do not seem to get pressure the other way.

Senator BELL. Mr. President, in my District, I have been contacted time and time again by the parents, or a young person, who want to know why they cannot go to the main campus and why they have to go to branch campuses of Penn State.

If what the gentleman from Crawford, Senator Dwyer, said is correct, there being a declining enrollment in graduate work, the upper classes at Penn State, I do not see why we should deny the young people of our home Districts the right to go to University Park.

When I went to college as a freshman I was able to go to football games; in fact, I tried to play football until I got beat up too much; I was a little guy. I do not see why we deny many of the students of Penn State, at the branch campuses, the facilities of that wonderful institution at University Park; for instance, the gymnasium, the swimming pool, the theatre; yes, sports. I understand they even have a golf course, a library, and even living in that wonderful city of young people, some 30,000. I believe there are about 24,000 undergraduates.

Therefore, Mr. President, I say, hands off, let the students going to Penn State be given, at least, a chance to go to the main campus.

Senator DWYER. Mr. President, I believe the gentleman from Delaware, Senator Bell, has stated the issue very well. It is whether or not we continue to promote the growth of the main campus at Penn State and to leave the branch campuses become empty and vacant and our private colleges, our Wideners, our Ursinuses, our Gettysburgs and the many other private colleges with the investment they represent, the economic impact they represent in the State, to gradually decline in enrollment, or perhaps close, and lose that service to the people of those areas and the economic impact they have on those areas.

That is, basically, the issue, whether we have a monolith or

whether we continue our diversified education and the economic input of education throughout the Commonwealth.

Senator DOUGHERTY. Mr. President, I rise to oppose the amendment.

Just briefly, the gentleman from Crawford, Senator Dwyer, has some concerns which are, perhaps, valid but I do not believe you address a problem by taking one shot at it. If we are going to look at Penn State, we should look at not only the freshman enrollment at University Park but we should also look at the validity of some of their extension campuses. We should do the job in toto and not just do it piecemeal.

I believe the amendment is damaging in that it is fragmented in its approach and really usurps certain rights which I believe rest with the university.

Senator BELL. Mr. President, in answer to the gentleman from Crawford, Senator Dwyer: Because there are less young people and people have less money is no reason why we should cut down the freshman class at Grove City, State College, West Chester State College, just to protect Widener and Allegheny.

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

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

YEAS—2

Dwyer, Snyder,

NAYS—45

Andrews,	Hankins,	Manbeck,	Romanelli,
Arlene,	Hess,	McCormack,	Ross,
Bell,	Holl,	McKinney,	Scanlon,
Coppersmith,	Hopper,	Mellow,	Schaefer,
Corman,	Howard,	Messinger,	Smith,
Dougherty,	Jubelirer,	Moore,	Stapleton,
Duffield,	Kelley,	Murray,	Stauffer,
Early,	Kury,	Nolan,	Stout,
Fumo,	Kusse,	Noszka,	Sweeney,
Gekas,	Lewis,	O'Pake,	Tilghman,
Gurzenda,	Lynch,	Reibman,	Zemprelli,
Hager,			

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

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

It was agreed to.
And the amendments made thereto having been printed as required by the Constitution?

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,

Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

NAYS—0

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

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

HB 2248 (Pr. No. 3286) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

NAYS—0

A constitutional two-thirds 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 2249 (Pr. No. 3287) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

NAYS—0

A constitutional two-thirds 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 2250 (Pr. No. 3288) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

NAYS—0

A constitutional two-thirds 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 2251 (Pr. No. 3289) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator DWYER. Mr. President, I would like to speak on this bill and, for the purpose of saving time, I will mention several other bills in these remarks, which will apply to all of them.

This is the first of the several pork barrel bills on which we vote every year. These are funds which are provided to a select group of private colleges, while the bulk of the fine private colleges in Pennsylvania do not receive any State direct grants.

In addition to just the general philosophy of whether or not we should favor a few private schools to the exclusion of all the rest, the following bills basically undo something which was done in the General Fund Budget which was signed into law last week.

Remember last year, the gentleman from Lackawanna, Senator Mellow, and I, and a few others, had quite a bit to say about the double dip that these institutions receive because they not only receive pork barrel direct grants, they also receive the institutional assistance grants, which all private colleges receive on a formula basis. This is the only type of grant any private college in the State of Pennsylvania should be receiving and the funds which go to these institutions in pork barrel should be given to PHEAA for grants to needy students and for institutional assistance grants, based on those needy student grants.

At any rate, in the General Fund budget, which was signed into law last week, there was a statement in the institutional assistance grant appropriation stating that any of the institutions that would otherwise be eligible to receive institutional assistance grants, that received direct appropriations, would not receive institutional assistance grants. That language was allowed to stay in the General Fund budget.

If the Members will notice these particular bills, it will be noted they were amended in the Committee on Appropriations and increased by the amount they would have received from the institutional assistance grant; in fact, the amount they received in 1977-78 in the institutional assistance grant. So, what these bills represent in addition, as I said, to the general philosophy of the bills is controverting exactly what was done last week when the General Appropriations bill was signed into law. The amount which was taken away from these schools last week, the small end of the double dip, was put into House Bill No. 2251, the University of Pennsylvania; House Bill No. 2252, Drexel University; House Bill No. 2253, the Philadelphia College of Textiles and Science; House Bill No. 2262, the Berean Training and Industrial School; House Bill No. 2263, the Philadelphia College of Art; House Bill No. 2264, the Delaware Valley College of Science and Agriculture; House Bill No. 2265, the Johnson School of Technology, House Bill No. 2268, the Pennsylvania Academy of the Fine Arts and House Bill No. 2270, the Philadelphia College of Performing Arts, which have been, as I said, restored to the double dip, in effect.

I would urge my colleagues to vote against these bills based on the general philosophy that they are not entitled to receive pork barrel grants and, in particular, that this undoes what was a very positive step, taken last week, and, at least, eliminating the small end of the double dip.

Senator SMITH. Mr. President, I would like to explain the thinking behind separating the IAG from the student aid,

many times referred to as the "double dip."

We have done exactly as the gentleman from Crawford, Senator Dwyer, has said. We have set aside IAG money from the universities and colleges that would receive student aid.

The thinking behind that was very simple. We want to have a single appropriation for the IAG in case, if it is the thinking of the Senate, they wish to increase that appropriation they will have to do nothing more than increase the appropriations of the IAG, not giving another chance for the double dip or increasing the double dip.

If it is the thinking of the Senate to increase the State aid to the student aid, then they would do it through the individual college or university. That is simply why we separated IAG from student aid collectively, to stop the double dip.

Why we increased the student aid this time was very simple. We are late in the year. The universities and colleges have already predicated their budget. Should we deny them the student aid that is normally given under the IAG, we would penalize them. What we are simply doing is acknowledging that their budget has been set. Next year it could be a different story; however, this year, we are giving them the money they would normally receive in the IAG under the double dip standard.

Senator DOUGHERTY. Mr. President, once again we approach the problem of funding higher education and we see the objections raised by the gentleman from Crawford, Senator Dwyer, take a limited approach. You simply cannot do to higher education, overnight, something which has been in existence in many cases for twenty years.

First off, the IAG was taken away from these schools and their funding was increased. However, the increase represented the first significant increase in their basic budget in five, six, seven, eight years. I think it is unfair to expect a college or university in this Commonwealth, that was receiving \$450,000, as in the case of the University of Pennsylvania, for the last four or five years, to all of a sudden find itself losing \$450,000 in one year.

The point of the gentleman from Crawford, Senator Dwyer, has merit. Should we continue to fund basically certain private colleges in the Commonwealth? Should we continue to fund Penn or Drexel or Textile? However, the approach cannot be to rip out a significant part of their budget in one year. The approach should be some type of direction to the Committee on Education or the Committee on Appropriations to study the question and come back and set up a time phase. If we are going to cease funding for these schools, then the schools are entitled to have a cutoff period of time. They should be phased out over a period of four, five or six years. But to take a significant part of their budget away in one year and expect them to be able to continue to survive is, I think, unfair.

One final point, Mr. President. The private colleges of Pennsylvania will be getting more money in the current year under the IAG because we increased the IAG by \$600,000 this year and to withdraw Penn, Drexel, Textile and the like, provides more money with fewer schools participating, therefore, the resultant product will be that the other private colleges will be seeing a significant increase in their own form of State aid.

Senator STAUFFER. Mr. President, I must take issue with

the use of the term "pork barrel appropriations." I think if we look carefully at the appropriations being considered and, particularly, the one before us at the moment which goes to the University of Pennsylvania, we will quickly recognize that these appropriations are made because there will be great benefit resulting from them to the people of the Commonwealth of Pennsylvania in the broadest sense.

I believe I can sum it up very succinctly by asking the question: Where would the economy of Pennsylvania be today if we did not have the great Veterinary School of the University of Pennsylvania?

Senator BELL. Mr. President, I likewise object to the use of the words "pork barrel." To me pork barrel means spending government money on something which is absolutely useless. When I was one of those people last year who voted against Penn's appropriation because of their labor trouble, I was given a very thorough education as to the value of the University of Pennsylvania by people who did not like my position. I am here today to publicly tell my fellow Senators that a great metropolitan area such as Delaware Valley U. S. A., which is primarily in Pennsylvania and has four million to five million people in it, clusters around certain institutions of higher education. There is not one person in this room who can deny the fact that the graduate schools of the University of Pennsylvania have been closely associated with the growth of eastern Pennsylvania since Benjamin Franklin's time. I speak for the Wharton School, the Schools of Architecture, Engineering and right down the line.

For those of us who are dedicated to rebuilding the Delaware Valley and bringing jobs and industrial development back to the Delaware Valley, one of the biggest selling points we have is an institution such as the University of Pennsylvania.

Senator HAGER. Mr. President, last year when this issue came up, a number of the people from the administration of these schools came to Capitol Hill to talk with us. At that time I made it very clear to them that, as I saw it, the Senate and the House of Representatives are beginning to feel more and more of a pinch for available money. As time goes on, they had better be prepared for an end to the nonpreferred appropriations to those schools, which were just private colleges and were, through some political muscle, enjoying a privilege not available to Washington and Jefferson, Franklin and Marshall, Lehigh, Lafayette, Lycoming or any of the other private colleges in this Commonwealth.

I am going to signify by my vote today, at least for this Senator, those days have come to an end. All of that is true with the exception of one place, the University of Pennsylvania, for which I am going to vote for one reason: It has the only veterinary school in the Commonwealth of Pennsylvania. I am very aware of the exclusionary practices of all other states for all Pennsylvania students who aspire to become veterinarians. I do not feel good about with the University of Pennsylvania either. If it were not for that, my vote would be "no" on that institution.

For those who want to wean them from the milk, might I suggest that a few "no" votes on these nonpreferred appropriations might be an indication to these people as well as the fact that I

am going to ask for a copy of the Journal, including everyone's remarks, and see that they go to all of these colleges that are not State related, that are not State owned and that are, number one, enjoying a double dip, no matter how it has been camouflaged this year. I will make it clear to them that there is the beginning of some thinking in this Body that the time has come for them to stand on their own and to stand on a step no different from that of all the other private colleges and universities in this Commonwealth.

Senator REIBMAN. Mr. President, I have been listening with a great deal of interest to the discussion which has just taken place. I only want to say that the Committee on Education has been cognizant of this problem for some time and we have introduced, on several occasions, and reported out of our committee a bill which would set up a commission to study the governance structure and finance of higher education in Pennsylvania so that, perhaps, we can bring some orderly process and some rationale for the support of the various kinds of institutions we so richly have here in Pennsylvania.

Up to this point these bills have been rereferred to the Committee on Appropriations and have not yet been reported out of that committee.

Senator DOUGHERTY. Mr. President, I would like to respond to the comments made by the gentleman from Lycoming, Senator Hager. It would be more appropriate, I feel, for a resolution to be introduced by the gentleman calling for the phaseout of these colleges over a three or four year time period, rather than to disapprove an appropriation this year and have the impact of taking funds away from a college which it has had, in many cases, for twenty or thirty years. It is simply unfair to certain institutions of higher education in this Commonwealth to force them to go from a position where they were receiving a significant part of their budget from the State to no part of their budget coming from the State.

Mr. President, rather than voting against the appropriation, it might be better to introduce a resolution, have the Members cosponsor it and move to phase the schools out, but at least give them adequate notice of what is about to happen.

Senator DUFFIELD. Mr. President, this is my eighth year in the Senate and voting on these nonpreferred appropriations. Each year the speeches sound the same. We never do anything about them except when they come up for a vote. I only want to comment that in all eight years I have heard the same speeches each time these nonpreferreds come up for a vote.

Senator DWYER. Mr. President, I would like to respond to some of the remarks made on the floor.

First, I would like to state to the gentleman from Chester, Senator Stauffer, and the gentleman from Delaware, Senator Bell, that I would agree that part of the appropriation to the University of Pennsylvania does not meet the definition of pork barrel. In fact, if the University of Pennsylvania's appropriations were limited to their veterinary school, their school of dentistry and their school of medicine, I would be supporting them. However, the fact is that a significant amount of these appropriations is pork barrel; it goes to the undergraduate students at the private University of Pennsylvania.

There is no more rhyme nor reason for those undergraduate

students to be subsidized by the taxpayers of this Commonwealth as Drexel and the other few, than there is to subsidize the students at Carnegie-Mellon, Chatham, F and M, Gettysburg or the many other fine institutions in this State which are viable and healthy and are not in the public taxpayers' trough.

I believe if they go to Webster's they will find that these appropriations to these favorite private universities do meet the definition of pork barrel.

Secondly, I would like to reply to the remarks of the gentleman from Philadelphia, Senator Dougherty, and concur with the remarks made by the gentleman from Fayette, Senator Duffield. I can remember, and I know others can—the gentleman from Chester, Senator Stauffer, was in the House as were other Members of the Senate—when, many, many years ago, the late Ed McNally of Cambria County led a tremendous fight for two or three years to try to end these pork barrel grants. He was told the same thing then which we have heard from the gentleman from Philadelphia, Senator Dougherty, this year and which we have heard last year: We cannot cut it off; we must do it methodically. These are just words used to get the appropriations through this year. We will never hear anymore about it until next year, as stated by the gentleman from Fayette, Senator Duffield, when we hear the same speeches. The appropriation will be passed again and the hard-pressed taxpayers of the State will have to pick up these pork barrel appropriations. I have heard it much longer than the eight years of the gentleman and many of us have. It has been eight, ten, twelve or fourteen years we have been fighting this. It only gets bigger and bigger and bigger; nothing is ever done to reduce it. Here we have the trend again today by increasing these grants once again.

If ninety-five per cent of the private institutions in this Commonwealth can make it without these special grants from the State, I am sure these can. The University of Pennsylvania is rated as one of the wealthiest universities in the Nation. I just do not see why our hard-pressed taxpayers should have to provide support to the undergraduates there.

Senator MCKINNEY. Mr. President, I would like to make a brief comment in agreement with the gentleman from Delaware, Senator Bell. Indeed, the University of Pennsylvania has aided the Delaware Valley. If I look closely in this Chamber today, I can see at least eight or nine persons who sit among us to whom the University of Pennsylvania has been very good, including one person who was speaking half way against the appropriations. I would only hope he would stop and consider before he would offer his resolution to phase out this IAG, at least do not do it irrationally.

Senator DOUGHERTY. Mr. President, I must rise in response to the comments of the gentleman from Crawford, Senator Dwyer. The action does not lie with those of us who are supporting State funding for these institutions. The words we are saying are words which have been said in the past. Correct? But the same words of the gentleman from Crawford, Senator Dwyer, have been said in the past also.

To remove these colleges from State support is the responsibility of those who object to it. The actions, therefore, lie with them. If the gentleman from Crawford, Senator Dwyer, or the

gentleman from Lycoming, Senator Hager, wants to do it, it is on their shoulders to introduce the legislation to make that action effective. But to stand here and say that because we speak on behalf of these colleges, it is rhetoric year in and year out, the action lies with them, Mr. President. These institutions have been funded and to think that we would go from the type of funding they have received in the past to no funding this year is simply a gross tragedy.

Senator HOLL. Mr. President, I cannot help but observe, with all the comments today and the fact that the gentleman from Lycoming, Senator Hager, intends to have the Journal reprinted and mailed, it should include that, maybe on this day, we will reflect on what is happening in California.

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—46

Andrews,	Hankins,	McCormack,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Coppersmith,	Hopper,	Messinger,	Smith,
Corman,	Howard,	Moore,	Snyder,
Dougherty,	Jubelirer,	Murray,	Stapleton,
Duffield,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fumo,	Kusse,	O'Pake,	Sweeney,
Gekas,	Lewis,	Reibman,	Tilghman,
Guizenda,	Lynch,	Romanelli,	Zemprelli,
Hager,	Manbeck,		

NAYS—1

Dwyer,

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

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

HB 2252 (Pr. No. 3290) — 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 were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—40

Arlene,	Hankins,	McKinney,	Ross,
Bell,	Holl,	Mellow,	Scanlon,
Coppersmith,	Hopper,	Messinger,	Schaefer,
Corman,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Snyder,
Duffield,	Kury,	Nolan,	Stauffer,

Early, Fumo, Gekas, Gurzenda,	Lewis, Lynch, Manbeck, McCormack,	Noszka, O'Pake, Reibman, Romanelli,	Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—7

Andrews, Dwyer,	Hager, Hess,	Kelley, Kusse,	Stapleton,
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A constitutional two-thirds 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 2253 (Pr. No. 3291) — 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—38

Arlene, Bell, Coppersmith, Corman, Dougherty, Duffield, Fumo, Gekas, Gurzenda, Hankins,	Holl, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack, McKinney,	Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Ross, Scanlon, Smith, Snyder, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—9

Andrews, Dwyer, Early,	Hager, Hess,	Kelley, Kusse,	Schaefer, Stapleton,
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A constitutional two-thirds 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 2254 (Pr. No. 2874) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator HAGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Smith.

The PRESIDENT pro tempore. Will the gentleman from

Philadelphia, Senator Smith, permit himself to be interrogated?

Senator SMITH. I will, Mr. President.

Senator HAGER. Mr. President, I understand that, unlike some of these other schools, the Dickinson School of Law is not receiving both this appropriation and an Institutional Assistance Grant, is that correct?

Senator SMITH. That is correct, Mr. President.

Senator HAGER. So, Mr. President, the double dip does not exist in this case, is that correct?

Senator SMITH. That is correct, Mr. President.

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Smith.

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

Senator SMITH. I will, Mr. President.

Senator KELLEY. Mr. President, along the same lines of inquiry as the Minority Leader: Are any of the other law schools of the Commonwealth of Pennsylvania participating in the moneys referred to?

Senator SMITH. Will the gentleman restate his question, Mr. President? I do not quite understand it.

Senator KELLEY. Mr. President, as I understand the query of the Minority Leader, it was whether or not the biggest law school was participating in the double dip. I am asking the question, beyond Dickinson, whether or not it applies to the University of Pennsylvania, Temple, the University of Pittsburgh, Duquesne and all the other law schools? They do not participate either, do they?

Senator SMITH. Mr. President, I believe I can answer the gentleman's question this way: None of the professional schools were given the double dip or actually participated in the IAG grants.

Senator KELLEY. So, Mr. President, if the Minority Leader wants to vote for Dickinson School of Law, it would seem consistent on his behalf to introduce and advance similar moneys for the other law schools.

Senator HAGER. Mr. President, the reason for the difference in my position is that every one of these colleges or universities which has been mentioned up to this point, with this exception, is getting Institutional Assistance Grants, whether going to the law school or the main university. The fact is, they are all getting Institutional Assistance Grants as an institution with the exception of Dickinson School of Law.

There are some law schools in this State who are not receiving anything at all because they are religiously affiliated schools, such as Villanova or Duquesne. But, so far as the University of Pennsylvania is concerned, so far as Temple University is concerned, so far as the University of Pittsburgh is concerned, my understanding is that they are getting Institutional Assistance Grants as well as general appropriations.

Senator KELLEY. Mr. President, I would like to explain to the Minority Leader the answer that the Chairman of the Committee on Appropriations gave me. He said that none of those schools, the professional schools associated with those universities, are getting the IAG aid, so it is not consistent to

vote for this without espousing similar support to the other ones, whether church related or not. Taking the nonreligiously affiliated, like the University of Pittsburgh and Temple University, I believe they, by the answer of the Chairman of the Committee on Appropriations, do not participate in IAG, and therefore, we should support them also.

Senator HAGER. Mr. President, if I may respond to that.

First of all, I am being consistent because I did vote for them.

Secondly, the fact is that the gentleman from Westmoreland, Senator Kelley, kids himself unmercifully if he believes that there is a separate budget for real money purposes between the professional schools and the main colleges in any one of those universities which he has mentioned.

Senator DOUGHERTY. Mr. President, I would like to make a point of clarification so we understand the IAG and how it is funded. Technically, a law school does not qualify to get IAG money because students may not use a PHEAA grant to go to law school. So, if we take the point the gentleman from Lycoming, Senator Hager, made: While Villanova Law School does not get any money from the IAG because PHEAA may not be used at the law school, Villanova University and Duquesne University and any private college that might have a law school, use a common treasury approach, do get money under the IAG because the money goes to their undergraduates who do qualify for PHEAA. So, a student who would be going to Villanova as an undergraduate student, who got PHEAA, would entitle the university to IAG money. Relative to the student who goes to Villanova Law School, the law school gets no IAG money because the student cannot use the PHEAA grant at the law school.

Senator KELLEY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Dougherty.

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

Senator DOUGHERTY. I will, Mr. President.

Senator KELLEY. Mr. President, so I clearly understand the gentleman. Do I understand that by this appropriation, inferentially before us now, Dickinson School of Law has a separate autonomy and separate treasurer from Temple, Villanova, Pitt and Duquesne, who have similar law school situations?

What I am asking, Mr. President, what is so magical about the coincidental aspect of having a separation? If I understand the gentleman's comment correctly, he said that the students who qualify are the undergraduates.

Therefore, the conclusion is that the university or the school, whatever the identity of the institution, does not benefit from the IAG because they are graduate students. The Dickinson School of Law, whether it is associated or not, whether it has a separation of the treasurer or not, the point is, they are getting separate, additional moneys, different from any of the other institutions, none of whom are qualified to get the IAG as the Minority Leader tried to infer to this Body.

All I am asking for is not to be unmerciful upon myself, as he suggested, but rather to be merciful to all the institutions equally.

Would the gentleman answer?

Senator DOUGHERTY. Mr. President, I would be very glad to answer if I could understand the question. But, as usual, the distinguished gentleman has a way of asking a question that goes on for about five sentences and nobody can quite understand the language he is using.

Let me try to clarify the point. Dickinson School of Law is not related, I am told, to Dickinson College. They are two separate institutions. Villanova University's law school and Villanova University's undergraduate school are one and the same institution.

Therefore, Dickinson's School of Law funding by the State stands on its own merits. Dickinson School of Law does not qualify for the IAG so there never was a double dip at Dickinson School of law.

Senator KELLEY. Mr. President, in further answer to the gentleman from Philadelphia, I understood him to say that none of the institutions of higher learning in this Commonwealth, the recipients of nonpreferred appropriations, are getting a double dip in relation to any of the students matriculated in a professional school. Is that not correct, Mr. President.

Senator DOUGHERTY. Mr. President, I tried to clarify a point and that is that any undergraduate school in the commonwealth which takes PHEAA students qualifies for the IAG unless it is a State-aided or State-owned institution. If that school, per chance, has a graduate school, law school or medical school, its qualification for the IAG is in no way related to the professional school. It is related strictly to the undergraduate program.

Senator KELLEY. Therefore, Mr. President, if I understand the gentleman then, the school or the institution does not benefit in a double dip because of any students who are in the graduate school.

Senator DOUGHERTY. That is correct, Mr. President.

Senator KELLEY. I thank the gentleman, Mr. President.

I would like to ask him one other question at this time: It has been the common practice here, in addition to Dickinson Law School, that Dickinson College is also a recipient of nonpreferred appropriations.

Senator DOUGHERTY. No, Mr. President.

Senator KELLEY. I stand corrected, Mr. President. I thought it had.

Senator DOUGHERTY. Mr. President, Dickinson College would only qualify as being funded by the IAG. It has not been funded, to my knowledge, as a nonpreferred appropriation.

Senator KELLEY. I thank the gentleman, Mr. President. I stand corrected.

Senator HOPPER. Mr. President, I might add that the Dickinson School of Law is not in any way related to Dickinson College as was stated. The information is that the \$99,000 under consideration will go to tuition reductions for residents of Pennsylvania who attend Dickinson School of Law. There will be a \$300 reduction in tuition which would benefit the low and moderate income youngsters in Pennsylvania who would like an opportunity to attend the oldest law school in Pennsylvania, outside the metropolitan areas, in an area such as Carlisle.

Those are the facts, Mr. President, and I would urge a "yes" vote on this appropriation.

Senator SWEENEY. Mr. President, when this appropriation was under consideration by the Senate last year, I spoke in an attempt to convince some of my colleagues to defeat the appropriation. Rather than be redundant and cover the same ground which has been covered by my colleagues in the last few minutes, I would like to bring a somewhat new perspective to this appropriation.

This is the only appropriation where a graduate school is singled out. We cannot weed out the precise amount that will be allocated to the law schools of Temple University or the University of Pennsylvania. In the case of Dickinson we can. The \$99,000 provided in this bill is to be allocated to Dickinson.

I would like to remind my colleagues that a recent survey published in the U.S. News and World Report indicates that the country already has approximately 100,000 too many lawyers. The resources of this Commonwealth presumably and hopefully are being allocated to underwrite the cost of those endeavors which will contribute to the betterment of the Commonwealth and endeavors which will improve the economic life of the Commonwealth and to assist those projects that have a greater need.

Mr. President, I would urge my colleagues to consider these observations in conjunction with the others which have been made in voting against the appropriation to Dickinson Law School.

And the question recurring,
Shall the bill pass finally?

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

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

Senator FUMO. Mr. President, I was voting under a misapprehension and I would like to change my vote from "no" to "aye."

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

The PRESIDENT pro tempore. The gentleman will be so recorded.

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

YEAS—34

Bell,	Hopper,	McKinney,	Scanlon,
Coppersmith,	Howard,	Messinger,	Smith,
Corman,	Jubelirer,	Moore,	Snyder,
Dougherty,	Kury,	Murray,	Stapleton,
Duffield,	Kusse,	O'Pake,	Stauffer,
Fumo,	Lewis,	Reibman,	Stout,

Gekas,	Lynch,	Romanelli,	Tilghman,
Hager,	Manbeck,	Ross,	Zemprelli,
Hankins,	McCormack,		

NAYS—10

Andrews,	Hess,	Mellow,	Schaefer,
Early,	Holl,	Nolan,	Sweeney,
Guizenda,	Kelley,		

A constitutional two-thirds 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 2255 (Pr. No. 3054) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—44

Andrews,	Hager,	Manbeck,	Romanelli,
Arlene,	Hankins,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kury,	Nolan,	Stout,
Fumo,	Kusse,	Noszka,	Sweeney,
Gekas,	Lewis,	O'Pake,	Tilghman,
Guizenda,	Lynch,	Reibman,	Zemprelli,

NAYS—3

Early,	Kelley,	Schaefer,
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A constitutional two-thirds 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 2256 (Pr. No. 3292) — 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—45

Andrews,	Hankins,	McCormack,	Ross,
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Arlene, Bell, Coppersmith, Corman, Dougherty, Duffield, Dwyer, Fumo, Gekas, Gurzenda, Hager,	Hess, Holl, Hopper, Howard, Jubelirer, Kury, Kusse, Lewis, Lynch, Manbeck,	McKinney, Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Scanlon, Schaefer, Smith, Snyder, Stapleton, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—2

Early, Kelley,

A constitutional two-thirds 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 2257 (Pr. No. 3293) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator STAUFFER. Mr. President, at the outset let me publicly acknowledge that Hahnemann Medical College has made important medical contributions to the Commonwealth and to the Nation. Since its inception 130 years ago, Hahnemann has been in the vanguard of medical advances. Today it stands in eminent company in the fields of heart surgery, cancer research, mental health innovations and graduate study in a variety of medical disciplines.

But, Mr. President, I rise today to oppose continued State aid to Hahnemann because of the questionable political activities that have engulfed the institution and its top officials in the last several years. As of today, these well-known incidents have not been proven illegal; but, they are most certainly suspicious. As the old saying goes, "Where there is smoke, there is often fire."

To repeated questioning, current Hahnemann President William Likoff responded, "Each day bring with it allegations which . . . are not only undeserved, but challenge Hahnemann's usefulness, integrity and very existence."

Yet, Mr. President, the college closed its books to the public after briefly opening them under great public pressure. Newspaper reports seem to indicate that Dr. Likoff is passing responsibility for any possible wrongdoing on to his predecessor, E. Wharton Shober, Jr. Former President Shober allegedly disposed of most records from his administration.

Mr. President, during the past year, serious questions have been raised about the ethics employed by and on behalf of the Hahnemann Medical College. Many questions, but no answers. As the saying goes, "It takes two to tango." Hahnemann cannot and should not be allowed to brush these incidents aside.

Furthermore, there is an unfortunate aura that has enveloped Hahnemann over the years. It seems that every time there are questions of unethical behavior at medical schools or any time there are questions of suspicious admission practices at medical schools, Hahnemann is at the center of it. Mr. President, far too many questions have been raised at Hahnemann year in and year out, and there have been too few answers.

The Pennsylvania Senate has already expressed interest in the most recent Hahnemann scandal. Eight Members of this Body, Democrats and Republicans, introduced a resolution four months ago calling for the Senate Committee on Public Health and Welfare to investigate the financing of a Hahnemann bond issue. The resolution states, "Serious allegations of misconduct have been made regarding the financing of an addition to Hahnemann Medical College and Hospital."

Since the Commonwealth annually appropriates more than \$3 million to Hahnemann and since the Commonwealth had provided capital financing through the Pennsylvania Higher Education Facilities Authority for this addition, it is right and proper that we seek some good answers to these serious and unresolved questions.

Yet, despite these lingering questions, Hahnemann is scheduled to receive a nine per cent increase in funding over last year's figure. In fact, the bill before us actually calls for \$395,000 more than the Governor recommended for fiscal 1978-1979. Despite the increase and despite the strong allegations, House Bill No. 2257 sailed through the House of Representatives by a 165 to 26 vote with no debate on the House floor. Mr. President, it is critical that we in this Body raise the issues for three very important reasons.

First, the public, the taxpayers, demand that we do. It is our responsibility. There was an interesting article in the April-May issue of the magazine *State Legislatures* on higher education and the legislative branch. The authors asked the question, "What is a legislature entitled to expect from a college to which it allocates taxpayers' money?"

The article proceeded to answer: "First of all, it is certainly entitled to accountability." And how right they are, Mr. President. The taxpayers of this Commonwealth, strained to their financial limits, should not and must not be asked to subsidize a school that is continually under heavy clouds. The temper of the time dictates that if agencies and departments and colleges want taxpayers' money, they better be "squeaky clean." There is just not enough available money to dispense it without adequate accountability.

For the good of the Commonwealth and for the sake of its taxpayers, State money should be denied to Hahnemann until the many questions of ethics are thoroughly answered.

Second, I believe for the good of the school and its future as an outstanding medical facilities, we should demand that questions be answered before more State money is approved.

Today, serious questions are being raised about Hahnemann and its officials. It seems to me that every one of the 4,000 living alumni of this institution should be demanding that all taint be removed. It seems to me that students currently at the school should be demanding that all taint be removed. And it seems to me that the administrators at the school should be de-

manding that all taint be removed. Friends of the school should welcome accountability.

Third, Mr. President, for the good of the medical profession, money should be denied Hahnemann at this time. You know, the Hippocratic Oath includes passages such as, "I will keep pure and holy both my life and my art," and, "I will abstain from all intentional wrongdoing and harm."

Every great profession, including the medical profession, has a reputation to preserve. There are living Hahnemann alumni in probably every county in this great State. A taint on that institution reaches into virtually every community in Pennsylvania. For the public confidence in Pennsylvania's medical practitioners to be retained, these questions should be raised.

Mr. President, I have accepted the Vice-Chairmanship of the Senate's new Committee on Ethics and Official Conduct. I know our committee will be concerned with the actions of Members. But, I ask: How can we hope to rule and guide the actions of our own Members who receive taxpayers' money and then disregard the actions of institutions which receive taxpayers' money?" To approve \$3,452,000 to an institution under such suspicion is tantamount to giving approval to any questionable activities.

For the benefit of the medical profession, for the good of the college and on behalf of the taxpayers, I am voting against this request for continued funding at this time for Hahnemann. I believe all Members should consider this issue carefully before casting their votes.

Senator MANBECK. Mr. President, I do not generally qualify my voting for certain legislation. However, after the request that funds be denied Hahnemann Medical College I feel it is necessary to put in the record why I will vote in favor of the bill.

I have been appointed to a committee to study the need for doctors to serve the people of Pennsylvania. According to the information we have at this point, it seems there is a great shortage of doctors who are practicing in the country where it is very difficult for the residents to attract doctors. Hahnemann is playing a good part in that program. In view of the fact that we have a great shortage of doctors, I will cast my vote in favor of this legislation.

I feel certain that the judicial system is capable of punishing the people who have done wrong in the case brought before us which was discussed on the floor just previous to these remarks.

Mr. President, I would sincerely hope that this bill would receive the necessary votes to pass.

Senator HESS. Mr. President, I would guess that everyone on the floor is torn between the arguments of the gentleman from Chester, Senator Stauffer, and the gentleman from Lebanon, Senator Manbeck. I believe the key thing we must keep in mind is, as the gentleman from Chester, Senator Stauffer, said, "at this time."

For that reason, I am voting in the negative.

Senator SMITH. Mr. President, I rise to urge a "yes" vote on this bill.

I can sympathize with the concerns of the gentleman from Chester, Senator Stauffer, but I am just wondering if the

gentleman is not comingling students with administrations.

I am concerned that the gentleman would bring this issue before the Senate since I understand what we are doing is granting a capitation grant to medical students in the amount of some \$4,400. The gentleman refers to an increase. I understand the increase is \$65,000 to pick up the IAG money from the allied health students.

To deny Hahnemann Medical College and Hospital this money because of the administration, it appears to me to chastise a student, whose only concern is, shall I say, to develop his fullest potential in the medical field. That should be the concern of all of us. Any man going to any professional school goes to school to develop the finest potential within himself.

What the administration does is within the province, in the case of Hahnemann Medical College and Hospital, of this General Assembly. When we deny the students this money, we say to the student, "Not only do you engage in developing your own facilities in education in the medical field, you also must be a supervisor of the administration."

I think we hold ourselves out to be fools if we say to a student, "You must be both administrator, student, policeman and watch dog."

I ask that my colleagues vote "yes" on this appropriation.

Senator HOLL. Mr. President, I rise to echo the comments of the gentleman from Lebanon, Senator Manbeck. I too serve on that committee and I am aware of the great shortage of general practitioners in our State.

I believe it would be shortsighted to deny Hahnemann Medical College and Hospital, or any other medical school, an appropriation at this time for residual reasons. Certainly there are questions that should be answered as the gentleman from Chester, Senator Stauffer, said, however, it would be a big mistake to say no to the people that we so desperately need in our State and, as a matter of fact, in our nation.

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—41

Arlene, Bell, Coppersmith, Corman, Dougherty, Duffield, Dwyer, Early, Fumo, Gekas, Gurzenda,	Hager, Hankins, Holl, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck,	McCormack, McKinney, Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman,	Romanelli, Ross, Scanlon, Schaefer, Smith, Stapleton, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—6

Andrews, Hess,	Kelley, Kusse,	Snyder,	Stauffer,
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A constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

HB 2258 (Pr. No. 3294) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hankins,	McKinney,	Scanlon,
Bell,	Hess,	Mellow,	Schaefer,
Coppersmith,	Holl,	Messinger,	Smith,
Corman,	Hopper,	Moore,	Snyder,
Dougherty,	Howard,	Murray,	Stapleton,
Duffield,	Jubelirer,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Guorzenda,	Manbeck,		

NAYS—1

Kelley,

A constitutional two-thirds 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 2259 (Pr. No. 2879) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hankins,	McKinney,	Scanlon,
Bell,	Hess,	Mellow,	Schaefer,
Coppersmith,	Holl,	Messinger,	Smith,
Corman,	Hopper,	Moore,	Snyder,
Dougherty,	Howard,	Murray,	Stapleton,
Duffield,	Jubelirer,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Guorzenda,	Manbeck,		

NAYS—1

Kelley,

A constitutional two-thirds 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 2260 (Pr. No. 3058) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	McCormack,	Ross,
Arlene,	Hankins,	McKinney,	Scanlon,
Bell,	Hess,	Mellow,	Schaefer,
Coppersmith,	Holl,	Messinger,	Smith,
Corman,	Hopper,	Moore,	Snyder,
Dougherty,	Howard,	Murray,	Stapleton,
Duffield,	Jubelirer,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Early,	Kusse,	O'Pake,	Sweeney,
Fumo,	Lewis,	Reibman,	Tilghman,
Gekas,	Lynch,	Romanelli,	Zemprelli,
Guorzenda,	Manbeck,		

NAYS—1

Kelley,

A constitutional two-thirds 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 2261 (Pr. No. 3295) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

Andrews,	Hager,	Manbeck,	Romanelli,
Arlene,	Hankins,	McCormack,	Ross,
Bell,	Hess,	McKinney,	Scanlon,
Coppersmith,	Holl,	Mellow,	Schaefer,
Corman,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Guorzenda,	Lynch,		

NAYS—1

Snyder,

A constitutional two-thirds 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 2262 (Pr. No. 3296) — 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—39

Arlene,	Hankins,	McKinney,	Ross,
Bell,	Holl,	Mellow,	Scanlon,
Coppersmith,	Hopper,	Messinger,	Schaefer,
Corman,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Stauffer,
Duffield,	Kury,	Nolan,	Stout,
Early,	Lewis,	Noszka,	Sweeney,
Fumo,	Lynch,	O'Pake,	Tilghman,
Gekas,	Manbeck,	Reibman,	Zemprelli,
Guizenda,	McCormack,	Romanelli,	

NAYS—8

Andrews,	Hager,	Kelley,	Snyder,
Dwyer,	Hess,	Kusse,	Stapleton,

A constitutional two-thirds 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 2263 (Pr. No. 3297) — 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—40

Arlene,	Hankins,	McKinney,	Ross,
Bell,	Holl,	Mellow,	Scanlon,
Coppersmith,	Hopper,	Messinger,	Schaefer,
Corman,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Snyder,
Duffield,	Kury,	Nolan,	Stauffer,
Early,	Lewis,	Noszka,	Stout,
Fumo,	Lynch,	O'Pake,	Sweeney,
Gekas,	Manbeck,	Reibman,	Tilghman,
Guizenda,	McCormack,	Romanelli,	Zemprelli,

NAYS—7

Andrews,	Hager,	Kelley,	Stapleton,
Dwyer,	Hess,	Kusse,	

A constitutional two-thirds 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 2264 (Pr. No. 3298) — 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—40

Arlene,	Hankins,	McKinney,	Ross,
Bell,	Holl,	Mellow,	Scanlon,
Coppersmith,	Hopper,	Messinger,	Schaefer,
Corman,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Snyder,
Duffield,	Kury,	Nolan,	Stauffer,
Early,	Lewis,	Noszka,	Stout,
Fumo,	Lynch,	O'Pake,	Sweeney,
Gekas,	Manbeck,	Reibman,	Tilghman,
Guizenda,	McCormack,	Romanelli,	Zemprelli,

NAYS—7

Andrews,	Hager,	Kelley,	Stapleton,
Dwyer,	Hess,	Kusse,	

A constitutional two-thirds 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 2265 (Pr. No. 3299) — 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

Arlene,	Holl,	Mellow,	Ross,
Bell,	Hopper,	Messinger,	Scanlon,
Coppersmith,	Howard,	Moore,	Schaefer,

Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hankins,	Kury, Lewis, Lynch, Manbeck, McCormack, McKinney,	Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Smith, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—10

Andrews, Corman, Dwyer,	Hager, Hess, Jubelirer,	Kelley, Kusse,	Snyder, Stapleton,
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A constitutional two-thirds 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 2266 (Pr. No. 2886) — 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—38

Arlene, Bell, Coppersmith, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hankins,	Hess, Hopper, Howard, Kury, Lewis, Lynch, Manbeck, McCormack, McKinney, Mellow,	Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli, Ross,	Scanlon, Schaefer, Smith, Snyder, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—9

Andrews, Corman, Dwyer,	Hager, Holl,	Jubelirer, Kelley,	Kusse, Stapleton,
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A constitutional two-thirds 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 2267 (Pr. No. 2887) — 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—39

Arlene,	Hess,	Mellow,	Scanlon,
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Bell, Coppersmith, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hankins,	Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack, McKinney,	Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli, Ross,	Schaefer, Smith, Snyder, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—8

Andrews, Corman,	Dwyer, Hager,	Holl, Kelley,	Kusse, Stapleton,
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A constitutional two-thirds 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 2268 (Pr. No. 2888) — 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—38

Arlene, Bell, Coppersmith, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hankins,	Hess, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack, McKinney,	Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Ross, Scanlon, Schaefer, Smith, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—9

Andrews, Corman, Dwyer,	Hager, Holl,	Kelley, Kusse,	Snyder, Stapleton,
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A constitutional two-thirds 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 2270 (Pr. No. 3332) — 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—35

Arlene,	Hopper,	Messinger,	Scanlon,
Bell,	Howard,	Moore,	Schaefer,
Coppersmith,	Kury,	Murray,	Smith,
Dougherty,	Lewis,	Nolan,	Stauffer,
Duffield,	Lynch,	Noszka,	Stout,
Fumo,	Manbeck,	O'Pake,	Sweeney,
Gekas,	McCormack,	Reibman,	Tilghman,
Guزندا,	McKinney,	Romanelli,	Zemprelli,
Hankins,	Mellow,	Ross,	

NAYS—12

Andrews,	Early,	Holl,	Kusse,
Corman,	Hager,	Jubelirer,	Snyder,
Dwyer,	Hess,	Kelley,	Stapleton,

A constitutional two-thirds 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 2271 (Pr. No. 2891) — 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—40

Arlene,	Hankins,	McKinney,	Ross,
Bell,	Hopper,	Mellow,	Scanlon,
Coppersmith,	Howard,	Messinger,	Schaefer,
Dougherty,	Jubelirer,	Moore,	Smith,
Duffield,	Kury,	Murray,	Snyder,
Early,	Kusse,	Nolan,	Stauffer,
Fumo,	Lewis,	Noszka,	Stout,
Gekas,	Lynch,	O'Pake,	Sweeney,
Guزندا,	Manbeck,	Reibman,	Tilghman,
Hager,	McCormack,	Romanelli,	Zemprelli,

NAYS—7

Andrews,	Dwyer,	Holl,	Stapleton,
Corman,	Hess,	Kelley,	

A constitutional two-thirds 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 2272 (Pr. No. 2892) — 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—39

Arlene,	Hankins,	Mellow,	Scanlon,
Bell,	Hopper,	Messinger,	Schaefer,
Coppersmith,	Howard,	Moore,	Smith,
Dougherty,	Jubelirer,	Murray,	Snyder,
Duffield,	Kury,	Nolan,	Stauffer,
Early,	Lewis,	Noszka,	Stout,
Fumo,	Lynch,	O'Pake,	Sweeney,
Gekas,	Manbeck,	Reibman,	Tilghman,
Guزندا,	McCormack,	Romanelli,	Zemprelli,
Hager,	McKinney,	Ross,	

NAYS—8

Andrews,	Dwyer,	Holl,	Kusse,
Corman,	Hess,	Kelley,	Stapleton,

A constitutional two-thirds 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 2273 (Pr. No. 2893) — 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—38

Arlene,	Hankins,	Mellow,	Ross,
Bell,	Holl,	Messinger,	Scanlon,
Coppersmith,	Hopper,	Moore,	Schaefer,
Dougherty,	Howard,	Murray,	Smith,
Duffield,	Kury,	Nolan,	Stauffer,
Early,	Lewis,	Noszka,	Stout,
Fumo,	Lynch,	O'Pake,	Sweeney,
Gekas,	Manbeck,	Reibman,	Tilghman,
Guزندا,	McCormack,	Romanelli,	Zemprelli,
Hager,	McKinney,		

NAYS—9

Andrews,	Hess,	Kelley,	Snyder,
Corman,	Jubelirer,	Kusse,	Stapleton,
Dwyer,			

A constitutional two-thirds 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 2274 (Pr. No. 2894) — 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—40

Arlene, Bell, Coppersmith, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hager,	Hankins, Holl, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack,	McKinney, Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Ross, Scanlon, Schaefer, Smith, Stapleton, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—7

Andrews, Corman,	Dwyer, Hess,	Kelley, Kusse,	Snyder,
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A constitutional two-thirds 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 2275 (Pr. No. 2895) — 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—40

Arlene, Bell, Coppersmith, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hager,	Hankins, Holl, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack,	McKinney, Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli,	Ross, Scanlon, Schaefer, Smith, Stapleton, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—7

Andrews, Corman,	Dwyer, Hess,	Kelley, Kusse,	Snyder,
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A constitutional two-thirds 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 2276 (Pr. No. 2896) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—42

Arlene, Bell, Coppersmith, Corman, Dougherty, Duffield, Early, Fumo, Gekas, Gurzenda, Hager,	Hankins, Holl, Hopper, Howard, Jubelirer, Kury, Lewis, Lynch, Manbeck, McCormack, McKinney,	Mellow, Messinger, Moore, Murray, Nolan, Noszka, O'Pake, Reibman, Romanelli, Ross,	Scanlon, Schaefer, Smith, Snyder, Stapleton, Stauffer, Stout, Sweeney, Tilghman, Zemprelli,
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NAYS—5

Andrews, Dwyer,	Hess,	Kelley,	Kusse,
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A constitutional two-thirds 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.

BILLS OVER IN ORDER

HB 191, 217 and 239 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL REREFERRED

SB 554 (Pr. No. 1923) — Upon motion of Senator MESSINGER, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 585 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON THIRD CONSIDERATION AMENDED

SB 1046 (Pr. No. 1900) — Considered the third time,

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

Amend Title, page 1, lines 4 through 7, by striking out "providing for the granting of permits to utilities" in line 4, all of lines 5 through 7 and inserting: prohibiting franchises for cable television unless granted by ordinance.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator LEWIS.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1107 (Pr. No. 1901) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

Senator HAGER. Mr. President, I desire to interrogate the gentleman from Northumberland, Senator Kury.

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

Senator KURY. I will, Mr. President.

Senator HAGER. Mr. President, a number of questions came up in our caucus about this bill and the underlying economic facts.

Would the gentleman please explain to us how it is these lands would come to the County of Northumberland, I guess it is, and why it is that they want to tie them up for five years by a lease?

Senator KURY. Yes, Mr. President. Northumberland County, historically, has been a scene of great anthracite mining. Over the years, one of the great devices of a lot of corporations was to buy a piece of coal land, not pay any taxes, mine it for five years; then, when the coal was depleted or they could not get to it easily, they let the land go for tax sale, for back taxes. Because of this, the country was forced to buy up those lands. Northumberland County now has 16,000 acres of anthracite land which was acquired for tax purposes. There is \$20 million owed for taxes on this property. There is still an awful lot of coal in that land. The only way the county can get any money out of this is to lease it to a coal company and collect a royalty or a percentage of the profit on the coal, which is what the county has been doing. The county leases this land. It is very carefully regulated through a trustee, which the country has set up to handle this. A special attorney and special counsel monitor these coal sales. This is a great source of revenue to Northumberland County.

The Northumberland County Commissioners have found with a one-year limitation on the leases, which is what the law is now, they cannot get the coal leases or the royalties they would like to get, because the coal companies will not operate it with only a one-year lease. It takes too much money and equipment. There is too much regulation for a one-year lease. So, the Northumberland County Commissioners asked me to introduce this bill to extend the leases to a maximum of five years so that they can lease these lands and get the royalties from the coal which is produced. That is the reason the bill was introduced.

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—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,

Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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 LAID ON THE TABLE

SB 1140 (Pr. No. 1349) — Upon motion of Senator MESSINGER, and agreed to, the bill was laid on the table.

BILLS OVER IN ORDER

HB 1205, SB 1280 and 1312 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1340 (Pr. No. 1922) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—43

Andrews,	Hankins,	McKinney,	Scanlon,
Arlene,	Hess,	Mellow,	Schaefer,
Bell,	Holl,	Messinger,	Smith,
Coppersmith,	Hopper,	Moore,	Snyder,
Corman,	Howard,	Murray,	Stapleton,
Dougherty,	Jubelirer,	Nolan,	Stauffer,
Dwyer,	Kury,	Noszka,	Stout,
Fumo,	Kusse,	O'Pake,	Sweeney,
Gekas,	Lewis,	Reibman,	Tilghman,
Gurzenda,	Lynch,	Romanelli,	Zemprelli,
Hager,	McCormack,	Ross,	

NAYS—4

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

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

BILL ON THIRD CONSIDERATION AMENDED

SB 1341 (Pr. No. 1821) — Considered the third time,

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

Senator NOLAN, on behalf of Senator ORLANDO, by unanimous consent, offered the following amendments:

Amend Title, page 1, line 5, by removing the period after "circumstances" and inserting: and permitting the use of studded tires at certain times and providing penalties.

Amend Bill, page 2, by inserting between lines 20 and 21:

Section 2. Section 4525 of Title 75 is amended to read:

§ 4525. Tire equipment and traction surfaces.

(a) General rule.—No vehicle shall be operated on the highway unless the vehicle is equipped with tires of a type, size and construction approved by the department for the vehicle and unless the tires are in a safe operating condition as determined in accordance with regulations of the department.

(b) Vehicles not equipped with pneumatic tires.—It is unlawful for any person to operate or move, or cause or permit to be moved, in contact with any highway any vehicle equipped with traction or road contact surfaces other than pneumatic tires unless of a type, size and construction permitted by regulations of the department and unless the movement is made under specific conditions allowed by regulations of the department.

(c) [Tire] Ice grips and tire studs.—[No vehicle having tires containing studs shall be driven on any highway.] Tires in which ice grips or tire studs of wear resisting material have been installed which provide resiliency upon contact with the road and which have projections not exceeding two thirty-seconds of an inch beyond the tread of the traction surface of the tire shall be permitted between November 1 of each year and April 30 of the following year. The Governor may by executive order extend the time tires with ice grips or tire studs may be used when highway conditions are such that such tires would be a safety factor in traveling Commonwealth highways. Firefighting, fire emergency and police vehicles may use tires with ice grips or tire studs during any time of the year. The use of tires with ice grips or tire studs contrary to the provisions of this subsection shall be unlawful.

(d) Tire chains.—Tire chains may be temporarily used on vehicles during periods of snow and ice emergency if they are in conformance with regulations promulgated by the department.

(e) Penalty.—

(1) Any person violating the provisions of subsection (c) shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine as indicated in paragraph (2) and, in default of payment thereof, shall undergo imprisonment for not more than 30 days.

(2) Fines for violation of subsection (c) shall be determined from the following chart based on the period of unauthorized use:

<u>May 1 to May 31</u>	<u>\$35</u>
<u>June 1 to June 30</u>	<u>45</u>
<u>July 1 to July 31</u>	<u>55</u>
<u>August 1 to August 31</u>	<u>55</u>
<u>September 1 to September 30</u>	<u>55</u>
<u>October 1 to October 31</u>	<u>55</u>
<u>November 1 to April 30</u>	<u>10</u>

Amend Sec. 2, page 2, line 21, by striking out "2." and inserting: 3.

Amend Sec. 2, page 2, line 21, by striking out "of the act" and inserting: of Title 75

Amend Sec. 3, page 2, line 30, by striking out "3." and inserting: 4.

On the question,

Will the Senate agree to the amendments?

Senator NOLAN. Mr. President, what the amendments would do would be to permit the use of studded tires, a continued use of studded tires, as in the past, and provide a penalty for the improper use of those tires.

This was before the Senate before, offered by the gentleman from Erie, Senator Orlando. The gentleman is not here today and asked me to introduce these amendments on his behalf.

Senator KURY. Mr. President, I know the hour grows late and I shall be very brief, but this is too important, considering the condition of our highways today, to go without some kind of comment.

Mr. President, I believe that studded tires are an illusion. They provide neither safety, which is sought, nor do they protect our highways. In fact, they damage our highways.

I have here a number of surveys and studies done by various agencies with regard to studded tires as they affect safety of cars and also the damage they do to highways. I would just like to briefly quote them.

First is a study done by the Bureau of Materials Testing and Research of the Commonwealth of Pennsylvania, Department of Transportation. This report says, "On the basis of research work conducted by the Minnesota Department of Highways, supported by the Commonwealth of Pennsylvania, and from an analysis of projected traffic volumes and studded tire usage in Pennsylvania, it has been estimated that approximately \$1,041,758,967 will be required over a twenty-five year period to correct pavement wear damage caused by the continued use of studded tires."

Mr. President, another report from the Pennsylvania bureau indicates that the outlawing of studded tires will save us \$40 million annually as a result of reducing highway wear and tear. It goes on to point out that the proportion of winter day miles, when studded tires are effective, is less than two per cent. Thus, the motorist using studded tires is subject to adverse safety effects over ninety-eight per cent of the winter driving time.

In fact, Mr. President, it goes on to point out that studded tires can increase danger because, except in certain specified conditions, they actually require more time to stop a car than less time.

Here is a report, Mr. President, by the Transportation Research Board of the National Research Council, "Studded Tires and Highway Safety Feasibility of Determining Indirect Benefits." It points out the wear of pavement and pavement markings by studded tires is suspected as the cause of several effects that result in decreased highway safety. In the order of decreasing degree of hazard, the most important effects are tire hydroplaning and wet skid and pavement maintenance hazard.

Mr. President, I will not burden the Senate by reading further from this report but it goes on to point out that there

are problems with studded tires.

I would just like to quote from another report, Mr. President, and that is a study made by the Minnesota Department of Highways. Minnesota, like Pennsylvania, is a snow-belt state. Their winter weather is certainly as severe as Pennsylvania's. They made a study in 1971, "The Effects of Studded Tires," from which I would just like to read, Mr. President, two very short passages.

First, on the question of pavement damage: "Studded tires have damaged highway pavements by abrading surfaces and producing troughs in the wheel tracks of the traffic lanes. The degree of wear is proportional to traffic volume so that the greatest wear is observed on high-speed, high-volume roadways. The wear is sufficient to require substantial expenditures for intermediate surface repair before pavements will have fulfilled their normal service-life."

Mr. President, on the question of safety the report says as follows: "It seems reasonable to conclude, based on all findings as well as influences which cannot be quantified, that if studded tires were discontinued, there would be little appreciable change in traffic safety in Minnesota."

So, Mr. President, every study we have indicates that the use of studded tires does not contribute to highway safety but will contribute to the even greater fiscal burden which the highway users of Pennsylvania have to bear.

We all know how bad our highways are now with the need for more repairs. We know the financial drain PennDOT is under with laying off a thousand more people. To pass these amendments is going to put us even further in the hole, put a greater fiscal burden on us, require more money for maintenance and will not produce any greater safety.

Mr. President, for that reason, I urge a "no" vote on these amendments.

Senator DWYER. Mr. President, coming from the northwest where we have 150 or 180 inches of snow per year and having had experience with studded tires as have many of my constituents and with all due respect to the gentleman from Northumberland, Senator Kury, I do not believe those reports are worth the paper on which they are printed.

I feel studded tires probably have a very positive safety factor in all but two per cent of the time, rather than only two per cent of the time. I think the verification of this is the fact that most of the groups who operate safety vehicles—school bus drivers, volunteer fire departments and others, even if we ban studded tires for the general public—are asking for an exception so that emergency vehicles can be equipped with studded tires because of the tremendous traction and safety factors they lend to these emergency vehicles.

I believe the real culprit as far as the damage to our highways is concerned is the salt which is indiscriminantly dumped all over our roads. It chews into the concrete and the surface of the road; it softens the berms, rather than hardens them. It kills the vegetation along the highways. We have a tremendous bridge problem in this State and I think studs are just being used as a scapegoat for the real culprit which is salt.

If any of you would take the time to climb down under our bridges and see the steel and metal superstructure and under-

structure of those bridges where the salt, over the years, has been dumped on those bridges and has leaked down, it is a wonder that we have as many bridges left in this State as we do. The salt is rapidly deteriorating the metal structures and underpinnings of our bridges. It is eating away at the concrete. We can see what it does to metal simply by what it does to our automobiles.

Therefore, I believe we should allow the people to have the safety of studded tires and eliminate, or at least severely limit, the real culprit which is road salt.

Senator EARLY. Mr. President, in deference to my colleague who spoke just before me when he stated that the studies of the gentleman from Northumberland, Senator Kury, are not worth the paper on which they are written, I would not go so far as to say that. However, I would say it is probably very close to it.

I believe if we want to get the experts on studded tires, do not get the studies as my colleague had elaborated, but talk to the housewife who is driving on our highways. Ask her, "Do you want the Legislature to take from you your studded tires during the winter in Pennsylvania?"

Those of us in the western part of the Commonwealth are fortunate or unfortunate, whichever way you want to look at it, to have talk shows where they talk with the people and get their opinions many, many times. Every program I have heard and every poll which has been taken of the people we represent show that the people are overwhelmingly in favor of keeping studded tires.

I would not disagree with the gentleman from Northumberland, Senator Kury, in his statistics, either in safety or in the amount of damage being done to our highways every year. I would say those figures are probably valid. However, there is something I feel we should point out here which has never been pointed out in the past when we debated the studded tire issue and that is driving with confidence. I believe that is an excellent point. I believe, especially the ladies in Pennsylvania are much, much better drivers when they have confidence behind the wheel of the car. I feel when they know they have studded tires, they are driving with a great deal more confidence than they are if they were not permitted to have studded tires in our State. I see the young ladies who are listening to this conversation laughing and I assume they are agreeing when I say that they do drive with a great deal of confidence. That, Mr. President, I believe is the secret of a good driver or a bad driver, one who is driving with the confidence that they are able to manipulate that automobile.

With that, Mr. President, I ask my colleagues to think about what their constituents would like them to do and think about that housewife who will be asked to drive her child to school some winter morning. Do we want her to drive on that snowy winter morning with the idea that she is not permitted, not permitted now, to have the studs on her car?

If we think for one second they do not want to have studs on their tires, all they have to do is not buy them. The fact that these tires have been purchased in the past in Pennsylvania by great numbers indicates to me that the people of Pennsylvania want those studs on their tires. There are no requirements.

Therefore, Mr. President, I say that my colleagues should

search their souls and ask themselves what it is that their people, the people they represent, want them to do when they cast their vote on these particular amendments.

Senator ROMANELLI. Mr. President, I would just like to relate a few names to my colleagues in the Senate, places in Pittsburgh called "Billy Buck Hill, Dutch Hill, Mt. Washington, Mt. Oliver, Mt. Alvernia," mount this, mount that, you name it. No matter where anyone goes, within a fifty-mile radius of our city, he is climbing a hill.

There are streets in Munhall and Duquesne, in my District, where it is virtually impossible to get up in the summertime. So you can well imagine when they get a glaze of ice on them the need for those studded tires. The common request, whenever the media prints that we are recodifying the Vehicle Code and taking away the studded tires, I have yet to run into one person in my District who has not said to me, "Please Senator, do not let them take those studded tires away from us."

There is a definite problem in the western part of the State. For the Senators who do not come from the west, but come from the east of the Susquehanna, there is no problem. The Pennsylvania Turnpike is indicative of the terrain in our end of the State. We need those studded tires; people need them to get around in the winter.

Please, Mr. President, I am asking my colleagues to vote with us and give us our studded tires.

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

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

Senator EARLY. I will, Mr. President.

Senator MCKINNEY. Mr. President, I want to apologize to the gentleman, I was not very attentive when he was speaking. Did I understand the gentleman to say the ladies overwhelmingly wanted studs on their tires?

Senator EARLY. Yes, Mr. President, I had indicated that every poll that has been taken in western Pennsylvania indicated overwhelmingly that the people wanted studs on their tires.

Senator MCKINNEY. Thank you, Mr. President. That is what I wanted cleared up.

Senator DWYER. Mr. President, I would like to put on the record the results of a recent study regarding road salt. It is entitled "Benefits and Costs in the Use of Salt to De-ice Highways," in which the Institute for Safety Analysis computed the economics of salting. The 'loss' is \$2.91 billion annually. Included are the costs of purchase and application, as well as damages done by salt to vehicles, bridges, highways, underground utilities and the environment. The latter category—'adverse effects'—accounts for \$2.71 billion of the \$2.91 billion bill," of damages done by road salting.

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—18

Bell, Dwyer, Moore, Stapleton,

Coppersmith, Early, Nolan, Stauffer,
Corman, Hankins, Romanelli, Stout,
Dougherty, Kusse, Schaefer, Tilghman,
Duffield, McKinney,

NAYS—27

Andrews, Hopper, Manbeck, Reibman,
Fumo, Howard, McCormack, Ross,
Gekas, Jubelirer, Mellow, Scanlon,
Gurzenda, Kelley, Messinger, Smith,
Hager, Kury, Murray, Snyder,
Hess, Lewis, Noszka, Sweeney,
Hall, Lynch, O'Pake,

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

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

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

Amend Sec. 1 (Sec. 1532), page 2, line 17 by inserting after "offense": involving the use of a motor vehicle

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

Senator HAGER. Mr. President, it is sometimes difficult to remember but the original purpose of this bill has nothing to do with studded tires or anything else having to do with highway safety. The purpose of this bill is to correct a present defect in the enforcement of the law of smuggling cigarettes. At present, if a person, under the law, is caught using a vehicle for the second time for smuggling cigarettes, his vehicle may be forfeited.

Mr. President, this bill suggests the first time he is caught he should forfeit his driver's license. The problem is that the wording is so broad that you can lose your driver's license for having absolutely nothing to do with a motor vehicle or the use of a motor vehicle in the smuggling of cigarettes.

All my amendment does is change the language so that the bill which presently reads: "The department shall revoke the operating privilege of any person for three years who pleads no defense or pleads guilty or is convicted of an offense . . ." It changes it to say, ". . . is convicted of an offense or pleads guilty involving the use of a motor vehicle."

I am concerned about the Supreme Court, or some appellate court in Pennsylvania, voiding the entire statute because the Legislature, under the present wording, would seek to take away somebody's driver's license for an offense which may have absolutely nothing to do with the use of the operating privileges. All the amendment does is tighten the language and make sure that, in addition to the other penalties involved, the deprivation of a person's operating privilege can only take place if an automobile or a motor vehicle were used in the offense for which he is charged.

Mr. President, I ask for an affirmative vote. The amendment does not, in any way, impair the law or change the purpose of this bill.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS REREFERRED

SB 1377 (Pr. No. 1739) — Upon motion of Senator MESSINGER, and agreed to, the bill was rereferred to the Committee on Appropriations.

SB 1378 (Pr. No. 1879) — Senator MESSINGER. Mr. President, I move that Senate Bill No. 1378 be rereferred to the Committee on State Government.

On the question,

Will the Senate agree to the motion?

Senator HESS. Mr. President, I request a roll call vote on the motion to rerefer.

And the question recurring,

Will the Senate agree to the motion.

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

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

The PRESIDING OFFICER. The gentleman will be so recorded.

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

YEAS—24

Arlene,	Kelley,	Messinger,	Ross,
Coppersmith,	Kury,	Murray,	Scanlon,
Duffield,	Lewis,	Nolan,	Smith,
Fumo,	Lynch,	Noszka,	Stapleton,
Gurzenda,	McKinney,	O'Pake,	Stout,
Hankins,	Mellow,	Romanelli,	Zemprelli,

NAYS—23

Andrews,	Gekas,	Jubelirer,	Schaefer,
Bell,	Hager,	Kusse,	Snyder,
Corman,	Hess,	Manbeck,	Stauffer,
Dougherty,	Holl,	McCormack,	Sweeney,
Dwyer,	Hopper,	Moore,	Tilghman,
Early,	Howard,	Reibman,	

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

The PRESIDING OFFICER. Senate Bill No. 1378 is rereferred to the Committee on State Government.

BILL OVER IN ORDER

SB 1432 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL REREFERRED

HB 1528 (Pr. No. 3207) — Upon motion of Senator MESSINGER, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

HB 1659 and 1731 — Without objection, the bills were passed over in their order at the request of Senator STAUFFER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1743 (Pr. No. 3146) — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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 1821 (Pr. No. 2219) — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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.

BILLS OVER IN ORDER

HB 1851, 1858 and 1885 — Without objection, the bills were passed over in their order at the request of Senator MES-SINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1894 (Pr. No. 3246) — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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 RECOMMITTED

HB 1939 (Pr. No. 3012) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

AMENDMENTS OFFERED

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

Amend Title, page 1, lines 11 through 13, by striking out "candidates for political" in line 11, all of lines 12 and 13 and inserting: filing of expense accounts.

Amend Bill, page 1, lines 16 through 23; page 2, lines 1 through 24, by striking out all of said lines and inserting:

Section 1. Section 1607, act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," amended April 21, 1949 (P. L. 693, No. 165), and July 1, 1976 (P. L. 523, No. 124), is amended to read:

Section 1607. Expense Accounts to Be Filed.—

(a) Every candidate for nomination or election, and every treasurer of a political committee, or person acting as such treasurer, shall, within thirty days after every primary and election at which such candidate was voted for or with which such political committee was concerned, if the amount received or expended or liabilities incurred shall exceed the sum of one hundred fifty dollars, file a full, true and detailed account, subscribed and sworn to by him, setting forth each and every sum of money received, contributed or disbursed by him for primary or election expenses, the date of each receipt, contribution and disbursement, the name of the person from whom received or to whom paid, and the specific object or purpose for which the same was disbursed. Such account shall also set forth the unpaid debts and liabilities of any such candidate or committee for primary or election expenses, with the nature and amount of each, and to whom owing. In the case of the treasurer of a political committee, the account shall include any unexpended balance of contributions or other receipts appearing from the last previous account filed by him, and shall also include a complete listing of all receipts and disbursements made by such committee for any purpose, including all receipts and disbursements from the publication and sale of all publications, and from the time of the last account or from the time of the formation of the political committee if no prior account has been filed. In the case of candidates for election who have previously filed accounts of their primary expenses as candidates for nomination, the accounts shall only include receipts, contributions and disbursements subsequent to the date of such prior accounts.

Notwithstanding the foregoing paragraph, where any amount received or contributed is not more than fifty (\$50) dollars, such amounts may be aggregated according to the date of receipt or contribution. In such cases, the name of the person from whom received or contributed need not be set forth. However, where the candidate for nomination or election, treasurer of a political committee, or person acting as a treasurer, knows or has reason to know that a person has, through multiple contributions, contributed more than a total of fifty (\$50) dollars, he must make a full, true and detailed account and report of what he knows or has reason to know.

(b) If the aggregate receipts or disbursements and liabilities of a candidate or a political committee in connection with any primary or election shall not exceed one hundred fifty dollars, the candidate or treasurer of the committee, as the case may be, shall, within thirty days after the primary or election, certify that fact under oath to the officer or board with whom expense accounts are required to be filed, as hereinafter provided: Provided, however, That if a candidate or political committee does not receive any contributions or make any disbursements or incur any liabilities, he or it shall not be required to file any account or to make any affidavit, but such candidate or political committee shall be deemed for all purposes of this act to have filed an expense account showing no receipts, disbursements or liabilities for primary or election expenses.

(c) Every expense account filed under the provisions of this section shall be accompanied by vouchers for all sums expended amounting to more than ten (\$10) dollars. It shall be unlawful for any candidate, agent or treasurer to disburse any money received from any anonymous source.]

(a) Each candidate for nomination or election or each treasurer of a political committee representing such individual candidate and the treasurer of any political committee representing or operating on behalf of more than one candidate for nomination or election

shall file with the Secretary of the Commonwealth reports of contributions and expenditures as required herein on forms prescribed by the secretary.

(b) (1) Such reports shall be filed twenty days prior to the date of an election.

(2) Such reports shall also be filed by June 30 of the year a candidate or committee participates in a primary election and by December 31 of the year a candidate or committee participates in a general election.

(3) Such reports shall also be filed by June 30 and again by December 31 of the year following the election and each year thereafter by June 30 and additionally by December 31 until such time as contributions and expenditures are balanced and the fund closed.

(c) Each report required under this section shall disclose:

(1) The full amount of cash on hand at the beginning of the reporting period.

(2) The full name and mailing address of each person who has made one or more contributions to or for such candidate or political committee, including but not limited to the purchase of tickets for events such as dinners, luncheons, rallies, and similar fund-raising events in connection with such campaign in an aggregate amount or value in excess of fifty dollars (\$50), together with the amount, mode (cash, check, money order, etc.), and date of such contributions.

(3) The total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under clause (2).

(4) The name and address of each candidate or political committee from which the reporting candidate or political committee received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates and purposes of all transfers.

(5) Each loan to or from any person within the calendar year, together with the full names and mailing addresses of the lender and endorsers, if any, and the date, purpose and amount of such loans.

(6) The total amount of proceeds from (i) the sale of tickets to each dinner, luncheon, rally, and other fund-raising events; (ii) mass collections made at such events; and (iii) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature and similar materials.

(7) Each contribution, rebate, refund, or other receipt in excess of fifty dollars (\$50) not otherwise listed under clauses (3) through (6).

(8) The total sum of all receipts by or for such political committee or candidate during the reporting period.

(9) The full name and mailing address of each person to whom expenditures have been made by such

committee or on behalf of such candidate or political committee in connection with such campaign or the amount, date, and purpose of each such expenditure and the name and address of, and office sought by each candidate on whose behalf such expenditure was made.

(10) The full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure.

(11) The total sum of expenditures made by such political committee or candidate in connection with such campaign.

(12) The amount and nature of debts and obligations owed by or to the political committee, in such form as the Secretary of the Commonwealth may prescribe and a continuous reporting of their debts and obligations after the election at such periods as set forth in subsection (b) until such debts and obligations are extinguished.

(d) The reports required to be filed by subsection (a) shall be cumulative for the campaign to which they relate, but where there has been no change in an item previously reported, only the amount need be carried forward.

(e) Each statement shall be accompanied by an affidavit verified by the candidate and stating as follows:

"I do solemnly swear that the foregoing statement is in all things true and correct and discloses all contributions received and expenditures required by me under the Pennsylvania Election Code."

(f) The Secretary of the Commonwealth shall mail by certified mail, to every candidate required to file a nominating petition with the secretary and every political committee, operating on behalf of such a candidate or candidates, a copy of this section and a concise explanation of its terms, responsibilities, and penalties not later than fifteen days after filing by such candidate or political committee. The Secretary of the Commonwealth shall send similar documents to the State chairmen of all legally recognized political parties.

(g) All reports made to the Secretary of the Commonwealth, or his designee under this law shall be public and shall upon filing be made immediately available during the customary office hours of the office of the secretary for inspection and copying by the public. The candidate or treasurer of such candidate shall upon filing such report, be given an official receipt indicating the date and time of such filing and upon satisfactory compliance with this section be relieved of all legal liability if such reports are not made public by the Secretary of the Commonwealth.

Section 2. This act shall take effect immediately.

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

MOTION TO RECOMMIT

Senator MESSINGER. Mr. President, at this time I move that House Bill No. 1939 be recommitted to the Committee on State Government.

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

PARLIAMENTARY INQUIRY

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

The PRESIDING OFFICER. The gentleman from Montgomery, Senator Tilghman, will state it.

Senator TILGHMAN. Mr. President, I believe the amendments take precedence and we are considering the amendments. The time to recommit the bill has passed for the moment.

The PRESIDING OFFICER. Senator Tilghman, a motion to recommit takes precedence over a motion to amend according to the Rules of the Senate.

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

The PRESIDING OFFICER. House Bill No. 1939 is recommit-
ted to the Committee on State Government.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2115 (Pr. No. 3333) — Considered the third time and
agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—47

- | | | | |
|--------------|------------|------------|------------|
| Andrews, | Hager, | Manbeck, | Ross, |
| Arlene, | Hankins, | McCormack, | Scanlon, |
| Bell, | Hess, | McKinney, | Schaefer, |
| Coppersmith, | Holl, | Mellow, | Smith, |
| Corman, | Hopper, | Messinger, | Snyder, |
| Dougherty, | Howard, | Moore, | Stapleton, |
| Duffield, | Jubelirer, | Murray, | Stauffer, |
| Dwyer, | Kelley, | Nolan, | Stout, |
| Early, | Kury, | Noszka, | Sweeney, |
| Fumo, | Kusse, | O'Pake, | Tilghman, |
| Gekas, | Lewis, | Reibman, | Zemprelli, |
| Gurzenda, | Lynch, | Romanelli, | |

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 Rep-
resentatives with information that the Senate has passed the

same with amendments in which concurrence of the House is
requested.

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

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

MEMBER OF THE PENNSYLVANIA TURNPIKE
COMMISSION

June 2, 1978.

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 nomina-
tion dated March 17, 1978 for the appointment of Donald M.
Rowan, Heckscherville 17937, Schuylkill County, Twenty-
ninth Senatorial District, for appointment as a member of the
Pennsylvania Turnpike Commission, to serve until June 4,
1987, and until his successor is appointed and qualified, vice
Ray M. Bollinger, Richland, 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 ROSS. Mr. President, I move that the nomination
just read by the Clerk be returned to His Excellency, the Gov-
ernor.

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 ROSS, 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:

CORONER IN AND FOR THE COUNTY OF MCKEAN

June 1, 1978.

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 Linda D. Smith, M.D.,
40 Mechanics Street, Eldred 16731, McKean County, Twenty-
fifth Senatorial District, for appointment as Coroner in and for
the County of McKean, to serve until the first Monday of Jan-
uary, 1980, vice Gale F. Hollenbeck, resigned.

MILTON J. SHAPP.

MEMBER OF THE PENNSYLVANIA HUMAN RELATIONS
COMMISSION

May 31, 1978.

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. Elizabeth M. Scott, (Republican), 221 Lytton Avenue, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1983, or until her successor shall have been duly appointed and qualified.

MILTON J. SHAPP.

MEMBERS OF THE PENNSYLVANIA PUBLIC TELEVISION NETWORK COMMISSION

April 18, 1978.

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 Pennsylvania Public Television Network Commission:

Andrew M. Bradley, 1100 North 16th Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, to serve until December 27, 1983, and until his successor shall have been appointed and qualified.

Frederick E. Leuschner, 129 Oak Park Circle, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, to serve until December 27, 1983, and until his successor shall have been appointed and qualified.

MILTON J. SHAPP.

MEMBER OF THE STATE BOARD OF PUBLIC WELFARE

May 25, 1978.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Honorable J. Doyle Corman, Jr. (Republican), 222 North Allegheny Street, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Public Welfare, to serve until June 7, 1982, and until his successor is appointed and qualified, vice Honorable Charles F. Dougherty, Philadelphia, resigned.

MILTON J. SHAPP.

MEMBER OF THE BOARD OF TRUSTEES OF WESTERN CENTER

May 25, 1978.

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 S. Edward Wolosin, 1118 Galaxy Circle, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Western Center, to serve until the third Tuesday of January 1981, and until his successor is appointed and qualified, vice Emil J. Faieta, Sr., Vestaburg, terminated.

MILTON J. SHAPP.

MEMBER OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

May 25, 1978.

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 Charles R. Gray (Democrat), R. D. #1, Mineral Point 15942, Cambria County,

Thirty-fifth Senatorial District, for appointment as a member of the Cambria County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Bernard Lurye, Johnstown, resigned.

MILTON J. SHAPP.

MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

April 18, 1978.

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 J. Sterling Strickland (Democrat), 2115 North Third Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Dauphin County Board of Assistance, to serve until December 31, 1978, and until his successor is duly appointed and qualified, vice Orlando Francisco DeGarcia, Harrisburg, resigned.

MILTON J. SHAPP.

DISTRICT JUSTICE OF THE PEACE

June 5, 1978.

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 M. Zyra, 701 Superior Street, Carnegie 15106, Allegheny County, Thirty-seventh Senatorial District, for appointment as District Justice of the Peace in and for the County of Allegheny, Class 2, District 22, to serve until the first Monday of January, 1980, vice Ralph Biondi, Pittsburgh, terminated.

MILTON J. SHAPP.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROSS,

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

NOMINATION TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for Linda D. Smith, M.D., as Coroner in and for the County of McKean, which requires a two-thirds majority vote.

On the question,

Will the Senate advise and consent to the nomination?

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

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

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.

NOMINATION TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for the Honorable J. Doyle Corman, Jr., as a member of the State Board of Public Welfare, which requires a majority vote.

On the question,

Will the Senate advise and consent to the nomination?

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

YEAS—46

Andrews,	Hankins,	McCormack,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Coppersmith,	Hopper,	Messinger,	Smith,
Dougherty,	Howard,	Moore,	Snyder,
Duffield,	Jubelirer,	Murray,	Stapleton,
Dwyer,	Kelley,	Nolan,	Stauffer,
Early,	Kury,	Noszka,	Stout,
Fumo,	Kusse,	O'Pake,	Sweeney,
Gekas,	Lewis,	Reibman,	Tilghman,
Gurzenda,	Lynch,	Romanelli,	Zemprelli,
Hager,	Manbeck,		

NAYS—0

PRESENT—1

Corman,

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

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM THE TABLE

Senator ROSS. Mr. President, I call from the table for consideration the remainder of the nominations reported from committee today and previously read by the Clerk, which require a majority vote.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of

the Constitution and were as follows, viz:

YEAS—47

Andrews,	Hager,	Manbeck,	Ross,
Arlene,	Hankins,	McCormack,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Coppersmith,	Holl,	Mellow,	Smith,
Corman,	Hopper,	Messinger,	Snyder,
Dougherty,	Howard,	Moore,	Stapleton,
Duffield,	Jubelirer,	Murray,	Stauffer,
Dwyer,	Kelley,	Nolan,	Stout,
Early,	Kury,	Noszka,	Sweeney,
Fumo,	Kusse,	O'Pake,	Tilghman,
Gekas,	Lewis,	Reibman,	Zemprelli,
Gurzenda,	Lynch,	Romanelli,	

NAYS—0

A constitutional 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 ROSS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER AND RECOMMITTED

HB 338 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

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 State Government.

BILL ON SECOND CONSIDERATION

SB 683 (Pr. No. 725) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 711, 805, SB 842 and 917 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 1094 (Pr. No. 1838) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 1124, SB 1147, HB 1171 and SB 1185 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 1228 (Pr. No. 1507) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 1384, HB 1395 and SB 1419 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 1428 (Pr. No. 1806), SB 1430 (Pr. No. 1808) and SB 1438 (Pr. No. 1817) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 1454, 1455, 1456, 1457, 1458, 1477 and HB 1785 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 1825 (Pr. No. 3264) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 1834, 1855 and 1964 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES OF CONFERENCE
SUBMITTED AND LAID ON THE TABLE

Senator MESSINGER submitted the Report of Committee of Conference on **HB 858**, which was laid on the table.

Senator STAPLETON submitted the Report of Committee of Conference on **HB 470**, which was laid on the table.

REPORT OF COMMITTEE OF CONFERENCE
SUBMITTED

Senator LEWIS submitted the Report of Committee of Conference on **SB 964**, which was placed on the Calendar.

REPORTS FROM COMMITTEES

Senator MELLOW, from the Committee on Environmental Resources, reported, as committed, **SB 1460, 1492, 1499, HB 190, 1063, 1684, 1685, 1841, 1888 and 1926**; as amended, **HB 792**.

Senator REIBMAN, from the Committee on Education, reported, as amended, **SB 1415**.

Senator McKINNEY, from the Committee on State Government, reported, as committed, **SB 980, 1178, 1179 and 1436**; as amended, **SB 1350 and 1434**.

Senator O'PAKE, from the Committee on Judiciary, reported, as amended, **SB 1506**.

Senator ROMANELLI, from the Committee on Transportation, reported, as committed, **SB 983, 1053, 1276, 1331, 1367, 1429, 1446, HB 88, 270, 664, 1838 and 1875**; as amended, **SB 1481**.

SENATE RESOLUTION

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
TO STUDY PUBLIC HEALTH SERVICES,
ORGANIZATION AND FUNCTION OF THE
DEPARTMENT OF HEALTH

Senators COPPERSMITH and DOUGHERTY offered the following resolution (Serial No. 102), which was read and referred to the Committee on Public Health and Welfare:

In the Senate, June 6, 1978.

WHEREAS, Health is a major concern of the people of Pennsylvania; and

WHEREAS, There is a need for the Department of Health to be accountable to the legislative branch of government and to the people of Pennsylvania; and

WHEREAS, Changes have been brought about during the past several years in the mission and in the operation of the Department of Health; and

WHEREAS, There is a need to evaluate the current programs and activities of the Department of Health in terms of need and of effectiveness in order to ensure the best use of current resources; and

WHEREAS, There is a need to ascertain that the Department of Health has captured all of the Federal funds available to support the public health programs and activities of the department; and

WHEREAS, There is a need to review the organization, structure and staffing of the Department of Health in light of the department's responsibilities and functions; and

WHEREAS, There is a need to examine the relationships between the Department of Health and public and private health related organizations such as the health systems agencies, the Easter Seal Society of Pennsylvania, the Hospital Association of Pennsylvania, the Keystone Medical Society, the Pennsylvania Dental Society, the Pennsylvania League for Nursing, the Pennsylvania Medical Society, the Pennsylvania Assembly of Home Health Agencies and the Pennsylvania Osteopathic Association; and

WHEREAS, There is a need to study the progress of the Department of Health in developing a State health plan; and

WHEREAS, There is a need to evaluate the relationship between the Department of Health and the Department of Environmental Resources to ensure that the programs in environmental health have continued to be responsive to the health needs of the people since the formation of the Department of Environmental Resources in 1970; and

WHEREAS, There is a need to guide the executive and legislative branches in the development of a Department of Health organized, staffed and administered to cope successfully with public health issues and challenges of the decade ahead; therefore be

RESOLVED, That the Senate Public Health and Welfare Committee, with the assistance of a graduate school of public health, shall make a study of the delivery of public health services by the Department of Health, including but not limited to, a study of the proper mission, organization and function of the Department of Health; and be it further

RESOLVED, That the committee may hold hearings, take testimony, and make its investigations at such places as it deems necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the

committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who willfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That the committee shall report its findings together with its recommendations for appropriate legislation, or otherwise, to the Senate as soon as possible.

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 Walker Township, Schuylkill County, by Senator Gurzenda.

Congratulations of the Senate were extended to Mr. and Mrs. John Clark by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Nason F. Hoffman, Mr. and Mrs. Raymond Hartman, Mr. and Mrs. Clarence Miller and to Mr. and Mrs. Herman C. Donley by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph C. Nye and Mr. and Mrs. Marvin M. Westfall by Senator Hess.

Congratulations of the Senate were extended to Mr. and Mrs. John Ominski by Senator Dougherty.

Congratulations of the Senate were extended to Mr. and Mrs. William T. Green and to Mr. and Mrs. Frank A. Cummings by Senator Bell.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 752, 980, 983, 1053, 1178, 1179, 1276, 1331, 1350, 1367, 1415, 1427, 1429, 1434, 1436, 1446, 1460, 1481, 1492, 1499, 1506, HB 88, 190, 270, 629, 664, 792, 1063, 1684, 1685, 1838, 1841, 1875, 1888, 1926 and 1934.

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

PETITIONS AND REMONSTRANCES

Senator HAGER. Mr. President, we are very much involved, I think, in the process of maintaining a way of life here in this

Senate and in all of the capitals in the fifty states as well as in Washington. It occurred to me, in looking at today's Calendar—that this is a very significant date in history and I do not think the Journal of the Senate of Pennsylvania should be allowed to not have some mention—thirty-four years ago today a number of people, both of American and other citizenships, were dying on the beaches of Normandy. This is D-Day.

I think it is altogether fitting that we remember today and, perhaps, on every other day when we get caught up in the mundane that we are also very much involved in the perpetuation of an extremely important way of life. Perhaps one of these days June 6th will be a very important day in our history and not just something which happens to be remembered by one Senator who noticed it at the top of the Calendar.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 7, 1978

- | | | |
|------------|--|----------|
| 10:00 A.M. | CONSUMER AFFAIRS (to consider Senate Bill No. 1266 and House Bill No. 489) | Room 350 |
| 11:00 A.M. | URBAN AFFAIRS AND HOUSING (to obtain approval of the "Report of the Commonwealth's Role in Urban Development" the final report compiled after the recent statewide hearings) | Room 168 |

MONDAY, JUNE 12, 1978

- | | | |
|------------|-----------------------------|----------|
| 11:15 A.M. | ETHICS AND OFFICIAL CONDUCT | Room 168 |
|------------|-----------------------------|----------|

ADJOURNMENT

Senator MESSINGER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 7, 1978, at 11:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

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