

Legislative Journal

MONDAY, SEPTEMBER 18, 1978

Session of 1978

162nd of the General Assembly

Vol. 1, No. 45

SENATE

MONDAY, September 18, 1978.

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

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

PRAYER

The Chaplain, The Reverend Father FRANCIS J. OPPTS, Pastor of St. Casimer Catholic Church, Shenandoah, offered the following prayer:

Let us pray:

Almighty God, our Father, You have charged us with the task of building on this earth a home where all nations dwell in unity, liberty and justice. We pray for strength and purpose to make officers in every branch of government accountable to all the people, fulfilling roles of service and responsibility, that they may be able to seek justice and protect the weak and lead us in the constructing of institutions for peace and mutual aid.

We thank You also Lord for the many benefits You have given us, especially for the hope of peace that has come from Camp David over this past weekend. We thank You, Lord, and we ask You to guide with truth and light in a special way our Senators, that by just and prudent laws, they may promote the well-being of all Your people. Amen.

The PRESIDENT. The Chair thanks Father Opps who is the guest this week of Senator Gurzenda.

JOURNAL APPROVED

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

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

COMMUNICATIONS FROM THE GOVERNOR

RECALL COMMUNICATION REFERRED TO COMMITTEE

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

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

September 14, 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 nomination dated August 22, 1978 for the appointment of the following as members of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen:

Ronald W. Wobb (Used Car Dealer), 2783 McCully Road, Allison Park 15101, Allegheny County, Fortieth Senatorial District, to serve until March 7, 1981, and until his successor is appointed and qualified, vice Gene Lispi, Wilkes-Barre, whose term expired.

Robert Joseph Habeeb (Motor Vehicle Salesman), 817 Griffin Pond Road, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, to serve until March 7, 1981, and until his successor is appointed and qualified, vice Anthony J. Erme, Sharpsville, whose term expired.

MILTON J. SHAPP.

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:

MEMBER OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

September 14, 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 Marshall Vaughters, D.D.S., 524 Braves Trail Lane, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the State Dental Council and Examining Board, to serve for a term of six years and until his successor shall have been appointed and qualified, vice Dr. Sidney Bridges, Philadelphia, resigned.

MILTON J. SHAPP.

MEMBERS OF THE STATE BOARD OF PODIATRY EXAMINERS

September 14, 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 appointment as members of the State Board of Podiatry Examiners:

Stanley H. Bushkoff, M.D., 3600 Forbes Avenue, Pittsburgh 15213, Allegheny County (Reappointment), Forty-third Sena-

torial District, to serve for a term of four years, and until his successor shall have been appointed and qualified.

John J. Marlette, D.P.M., 2 Tee Street, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, to serve for a term of four years, and until his successor shall have been appointed and qualified, vice John N. Petrus, D.S.P., Erie, whose term expired.

MILTON J. SHAPP.

TREASURER, YORK COUNTY

September 14, 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 Karl E. Salmon, 2915 Fifth Avenue, York 17402, York County, Twenty-first Senatorial District, for appointment as Treasurer in and for the County of York, to serve until the first Monday of January 1980, vice Alvin H. Hollander, York, resigned.

MILTON J. SHAPP.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 2487**, which was referred to the Committee on Agriculture and Rural Affairs.

He also presented for concurrence **HB 2095**, which was referred to the Committee on Judiciary.

He also presented for concurrence **HB 1982**, which was referred to the Committee on Law and Justice.

He also presented for concurrence **HB 1927, 1948, 2057 and 2140**, which were referred to the Committee on Transportation.

BILL SIGNED

The President (Lieutenant Governor Ernest P. Kline) in the presence of the Senate signed the following bill:

HB 263.

GENERAL COMMUNICATION

RESOLUTION OF THE LEGISLATURE OF THE VIRGIN ISLANDS

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

The Legislature of the Virgin Islands

September 7, 1978.

Mark Gruell, Jr.
Secretary of the Senate
462 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Colleague:

I am transmitting herewith Resolution No. 943, Bill Number 7937, passed by the Legislature of the Virgin Islands to express the support of this Territory for the Equal Rights Amendment.

The Resolution is self-explanatory and it is the wish of our Legislative Body that this document can be entered upon and

made a part of your Legislative Records.

My very best regards to you.

Sincerely yours,

PATRICK N. WILLIAMS
Executive Secretary

Resolution No. 943
BILL No. 7937

TWELFTH LEGISLATURE OF THE VIRGIN ISLANDS OF THE UNITED STATES

Regular Session
1978

To express the support of the Legislature of the Virgin Islands for the Equal Rights Amendment

WHEREAS in 1971 and 1972 the United States House of Representatives and the United States Senate overwhelmingly approved a proposed amendment to the Constitution which would provide that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."; and

WHEREAS the Equal Rights Amendment was then submitted to the states and must be ratified by three-fourths of the states before March 22, 1979; and

WHEREAS thus far the Equal Rights Amendment has been ratified by 34 of the states; and

WHEREAS the Virgin Islands takes pride in its existence as a society which has consistently and historically rejected any and all forms of discrimination; and

WHEREAS the goals of the Equal Rights Amendment, the removal of legal and administrative discriminations against women and a guarantee of equal rights for women, are goals which are shared by fair-minded people; and

WHEREAS although the Territory of the Virgin Islands is not involved in the ratification or rejection of the proposed amendment to the United States Constitution by the fifty states, the Legislature of the Virgin Islands wishes to go on record as strongly supporting the Equal Rights Amendment; Now, Therefore,

BE IT RESOLVED by the Legislature of the Virgin Islands:

SECTION 1. The Legislature hereby expresses its strong support of the proposed Equal Rights Amendment.

SECTION 2. The Legislature of the Virgin Islands respectfully urges the Legislatures of those states which have not yet ratified the Equal Rights Amendment to do so promptly.

SECTION 3. Copies of this Resolution shall be forwarded to the Legislatures of the fifty states of the United States.

Thus passed by the Legislature of the Virgin Islands on July 18, 1978.

Witness our Hands and the Seal of the Legislature of the Virgin Islands this 18th Day of July, A. D., 1978.

ELMO D. ROEBUCK
President

CLEONE CREQUE HODGE
Actg. Legislative Secretary

ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The Conference Committee on Senate Bill No. 984 will meet today at 2:00 o'clock in Room 168.

The Committee on Appropriations will meet immediately after Session today in Room 350. They will be considering Senate Bill No. 86, Senate Bill No. 87 and Senate Bill No. 1350; House Bill No. 80, House Bill No. 408, House Bill No. 1785, House Bill No. 1834, House Bill No. 2027, House Bill No. 2207 and House Bill No. 2542.

BILLS INTRODUCED AND REFERRED

Senator LEWIS presented to the Chair **SB 1629**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for expungement of records of persons granted a pardon.

Which was committed to the Committee on Judiciary.

Senators HESS, ROSS, ROMANELLI, SCANLON, SNYDER and MANBECK presented to the Chair **SB 1630**, entitled:

An Act authorizing the Department of General Services with the approval of the Department of Environmental Resources to grant an easement to the Armstrong Cork Company to construct, use, renew, maintain and repair a treated effluent discharge pipe in the Susquehanna River in East Donegal Township, Lancaster County.

Which was committed to the Committee on Environmental Resources.

Senator HOLL presented to the Chair **SB 1631**, entitled:

An Act requiring signs establishing parking spaces for handicapped persons or disabled veterans to contain words.

Which was committed to the Committee on Transportation.

He also presented to the Chair **SB 1632**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting parking in spaces designated for certain vehicles and providing penalties.

Which was committed to the Committee on Transportation.

Senator ROMANELLI presented to the Chair **SB 1633**, entitled:

An Act making an appropriation to the Arsenal Family and Children's Center, Pittsburgh.

Which was committed to the Committee on Appropriations.

Senators MESSINGER and HAGER presented to the Chair **SB 1634**, entitled:

An Act amending the act of May 27, 1937 (P. L. 926, No. 249), entitled, as amended, "Bedding and Upholstery Law," defining "quilted clothing" and further providing for registration numbers.

Which was committed to the Committee on Business and Commerce.

They also presented to the Chair **SB 1635**, entitled:

An Act amending the act of July 1, 1978 (No. 134), entitled "An act amending the act of May 27, 1937 (P. L. 926, No. 249), entitled, as amended, 'Bedding and Upholstery Law,' providing for quilted clothing," delaying the effective date.

Which was committed to the Committee on Business and Commerce.

Senator ARLENE presented to the Chair **SB 1636**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," further defining employment, further providing for contributions, for the payment of benefits and for benefit changes.

Which was committed to the Committee on Labor and Industry.

Senators TILGHMAN, KUSSE and MANBECK (By Request) presented to the Chair **SB 1637**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for real property taxes.

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

CALENDAR**HB 80 CALLED UP OUT OF ORDER**

HB 80 (Pr. No. 3686) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator SMITH.

BILL REREPORTED FROM COMMITTEE AS AMENDED RECOMMITTED

HB 80 (Pr. No. 3686) — Senator SMITH. Mr. President, I move that House Bill No. 80 be recommitted to the Committee on Appropriations.

On the question,

Will the Senate agree to the motion?

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

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

Senator SMITH. I will, Mr. President.

Senator STAUFFER. Mr. President, I was unaware that the gentleman was going to call this bill up out of order to make this motion.

Would the gentleman please inform me as to the purpose in recommitting this bill to the Committee on Appropriations?

Senator SMITH. Mr. President, on the original calculation of the cost factor, the Department of Revenue gave us one cost factor; the people who offered the bill gave us another. Tomorrow we will have a conference, inviting both sides, so we can ascertain the true cost factor involved in House Bill No. 80.

Senator STAUFFER. Mr. President, since this came out of the Committee on Finance and is a revenue bill rather than an appropriations bill, would it not be more logical to recommit the bill to the Committee on Finance to find out the answer to question raised by the gentleman?

Senator SMITH. Mr. President, it is my understanding that cost factors are established by the Committee on Appropriations.

We had received certain information which the chairman used to amend the bill. It has now come to our attention that there has been an error in the calculation. The cost factor has now increased by ten per cent or better.

Senator STAUFFER. I thank the gentleman, Mr. President. I have no objection.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

The PRESIDENT. House Bill No. 80 is recommitted to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Senator O'PAKE, from the Committee on Judiciary, reported, as committed, **HB 2214, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2227, 2228, 2229, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238 and 2239.**

Senator COPPERSMITH, from the Committee on Public Health and Welfare, reported, as amended, **HB 46.**

RECESS

Senator MESSINGER. Mr. President, I request a recess of the Senate until 3:00 p.m., for the purpose of holding a Democratic caucus and a Republican caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 3:00 p.m., Eastern Daylight Saving Time.

AFTER RECESS

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

BILL REREFERRED

Senator LEWIS, by unanimous consent, from the Committee on Local Government, returned to the Senate **SB 1617**, which was referred to the Committee on Urban Affairs and Housing.

REPORTS FROM COMMITTEE

Senator LEWIS, by unanimous consent, from the Committee on Local Government, reported, as committed, **HB 648, 663, 1698, 2091, 2092, 2099, 2314, 2488, 2489 and 2490**; as amended, **HB 1115, 2339, 2340, 2341, 2342, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359 and 2360.**

HOUSE MESSAGES**HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 2675 and 2740**, which were referred to the Committee on State Government.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **SB 1137.**

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate **SB 1430**, with the information that the House has passed the same without amendments.

BILLS SIGNED

The President (Lieutenant Governor Ernest P. Kline) in the presence of the Senate signed the following bills:

SB 1137 and 1430.

CONSIDERATION OF CALENDAR RESUMED**REPORTS OF COMMITTEES OF CONFERENCE****REPORTS ADOPTED**

SB 480 (Pr. No. 2123) — Senator MESSINGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 480, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929" limiting the time during which certain actions relating to transportation programs may be brought.

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—36

Andrews,	Hager,	McCormack,	Romanelli,
Arlene,	Hankins,	McKinney,	Ross,
Bell,	Hess,	Messinger,	Scanlon,
Coppersmith,	Holl,	Murray,	Schaefer,
Duffield,	Hopper,	Nolan,	Smith,
Early,	Howard,	Noszka,	Stout,
Fumo,	Kelley,	O'Pake,	Sweeney,
Gekas,	Kury,	Orlando,	Wood,
Gurzenda,	Kusse,	Reibman,	Zemprelli,

NAYS—11

Corman,	Jubelirer,	Mellow,	Stauffer,
Dougherty,	Lewis,	Snyder,	Tilghman,
Dwyer,	Manbeck,	Stapleton,	

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.

SB 645 (Pr. No. 2109) — Senator MESSINGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 645, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929" providing for campus police for community colleges.

On the question,

Will the Senate agree to the motion?

Senator REIBMAN. Mr. President, I would like to join with the Majority Leader in asking that the Senate do adopt the Conference Report on Senate Bill No. 645.

I believe the Members will recall that last December, during the final days of a very bitter and very protracted debate over the budget for fiscal year 1977-1978, I introduced two bills that were designed to revamp the process by which the Commonwealth budget is to be adopted. The acrimony, the delayed paychecks and the public disillusionment all clearly pointed to the need for budget reform at that time.

Despite the fact that we had a fairly speedy enactment of the budget for this current fiscal year, there still remains a critical need to revise the method by which Pennsylvania's budget is

implemented. Therefore, I am very glad that we have before us the Conference Committee Report on Senate Bill No. 645. I am gratified because the Conference Committee recommended the inclusion of a State Budget Code which really embodies the essence of one of the budget reform bills I introduced in December, but I am even more pleased because I feel that enactment of Senate Bill No. 645 is a necessary first step in effecting meaningful budget reform for the people of Pennsylvania.

As it was amended, Senate Bill No. 645 would codify the existing laws on the budgetary process. However, it goes far beyond simply restating the current procedure. It would provide clear deadlines for the submission of materials and for the transmission of the budget to the General Assembly. Consequently, the Legislature would be involved in this adoption process at a much earlier stage. It established the first week in February as the deadline for submission of the budget to the General Assembly, giving both houses adequate time to study and review all the requests.

The bill also requires the Department of Revenue and the Budget Secretary to prepare the revenue estimates to insure that the revenues balance the appropriation requests and mandates that these be done in such a way that they are subject to thorough legislative oversight. I again reiterate that it is very important that the Legislature have oversight on every one of these requests.

Mr. President, I would be remiss if I said that I was completely satisfied with Senate Bill No. 645. It is really not as comprehensive as I would like but it embodies pretty much the same kind of provisions I had introduced. It does not speak to the issue of the need for an independent legislative committee or agency to conduct fiscal and program audits or independent revenue estimates. For this, I have introduced Senate Bill No. 1232 which I would suggest is the second step necessary to insure good budget reform and to give the Members of the Legislature the sufficient information that we need to pass a meaningful budget.

Mr. President, I am hoping that our committee to whom this bill was assigned will see fit to report that bill out of committee also.

Senator BELL. Mr. President, I have not studied this bill but I have read it and am very happy to note that the Public Utility Commission is now brought under budgetary control because it is a commission; it is a commission expending moneys and it is also a commission of the Commonwealth of Pennsylvania. It is time we had the PUC responsive to the Legislature of Pennsylvania.

The PRESIDENT. Your lawnmower notwithstanding, Senator Bell, it is nice to have you back.

Senator TILGHMAN. Mr. President, I join with the lady from Northampton, Senator Reibman, in extolling what she called a step toward budgetary reform. Whether it is a step or a short, little baby crawl, I am not sure, but she mentioned she has legislation in committee which I was happy to cosign. I have legislation in committee and many of our Members have legislation in committee that would truly correct the budgetary problems in Pennsylvania.

Most of the amendments that were added to the bill by the

Committee of Conference are in the Administrative Code today. There is very little that is new in this bill although we now put it under statute.

When we were talking about this in the beginning, I was somewhat reluctant to sign this Conference Committee Report. I finally did as we were sitting upstairs last week, with the hopes and expectations that this will accomplish something. As I said in the beginning, it is an eighth of an inch of a step. A lot of it is being done at the present time, and I certainly urge the Majority Party to take a look at the bills dealing with the budgetary process in Pennsylvania and do something about it. The public cannot afford to operate and live in a State with the budgetary process we have in Pennsylvania today.

The General Assembly is derelict in its duty; we should act on the legislation and the suggestions in committee. I have no great pride of authorship one way or another. I would like to see something done and I urge the Majority Party and the committee chairmen to do something about the horrible process now being used in Pennsylvania to pass our annual appropriations bills.

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

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

YEAS—48

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,	Kelley,	Noszka,	Stout,
Early,	Kury,	O'Pake,	Sweeney,
Fumo,	Kusse,	Orlando,	Tilghman,
Gekas,	Lewis,	Reibman,	Wood,
Gurzenda,	Manbeck,	Romanelli,	Zemprelli,

NAYS—0

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

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

BILL OVER IN ORDER

HB 1841 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

THIRD CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

HB 1171 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AMENDED

HB 1885 (Pr. No. 3665) — Considered the third time,

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

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

Amend Sec. 3, page 6, lines 19 and 25, by inserting a bracket before "Acts" in line 19 and after "Examiners." in line 25

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 COPPERSMITH.

**PREFERRED APPROPRIATION BILL ON
THIRD CONSIDERATION AND FINAL PASSAGE**

HB 2280 (Pr. No. 3607) — Considered the third time,

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

Senator EARLY. Mr. President, I ask that House Bill No. 2280 go over in its order until tomorrow for the purpose of offering an amendment.

Senator MESSINGER. Mr. President, I object to the bill going over in its order.

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?

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

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Allegheny, Senator Early, will state it.

Senator EARLY. Mr. President, I had asked that the bill go over in its order. I assume these "aye" votes are for the bill to go over until tomorrow.

The PRESIDENT. They are not, Senator. We are voting on the bill. An objection was raised to the bill going over in its order.

Senator EARLY. Mr. President, I would like a roll call vote on—

The PRESIDENT. On what, Senator? There was no motion made, Senator. You requested that the bill go over in its order; an objection was raised. I waited for the motion. I thought you did not wish to make the motion and we proceeded to consider the bill.

Senator EARLY. Mr. President, I assumed my first request was asking that the bill go over.

The PRESIDENT. We will be at ease for just a minute.
(The Senate was at ease.)

The PRESIDENT. For the information of the Members, we are in the process of a roll call for which there can be no interruption. I will complete the roll call. In order to give Senator

Early his day in the Senate, if he chooses to, he may move to reconsider the vote by which the bill passed or failed and then proceed to move it over in its order.

We are now voting on the bill.

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

YEAS—46

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

NAYS—2

Early, Stapleton,

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

RECONSIDERATION OF HB 2280

HB 2280 (Pr. No. 3607) — Senator EARLY. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2280, Printer's No. 3607, just passed finally.

Senator STAPLETON. Mr. President, I second the motion.

Senator SCHAEFER. Mr. President, I second the motion.

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

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Philadelphia, Senator McCormack, will state it.

Senator McCORMACK. Mr. President, I believe the Chair stated that this type of a motion needs two seconds.

The PRESIDENT. It does, Senator.

Senator McCORMACK. Mr. President, the way I read the Rule, it requires a second.

The PRESIDENT. Perhaps, Senator, the Rules do require one second; we have two. Is that all right with you?

Senator SMITH. Mr. President, I now ask for immediate consideration of House Bill No. 2280.

POINT OF INFORMATION

Senator COPPERSMITH. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria, Senator Coppersmith, will state it.

Senator COPPERSMITH. Mr. President, there was no re-

quest for a roll call. Could we take a voice vote and then have immediate reconsideration? I think that is what the gentleman from Philadelphia, Senator Smith, indicated he desired to do.

The PRESIDENT. That is not what anybody said and I am calling the roll because it is a very sensitive issue.

Senator EARLY. Mr. President, may I request a roll call vote?

The PRESIDENT. You may, Senator.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—17

Coppersmith,	Kury,	Romanelli,	Stapleton,
Dwyer,	Mellow,	Ross,	Stout,
Early,	Orlando,	Scanlon,	Sweeney,
Gurzenda,	Reibman,	Schaefer,	Zemprelli,
Kelley,			

NAYS—30

Arlene,	Hankins,	Manbeck,	Noszka,
Bell,	Hess,	McCormack,	O'Pake,
Corman,	Holl,	McKinney,	Smith,
Dougherty,	Hopper,	Messinger,	Snyder,
Duffield,	Howard,	Moore,	Stauffer,
Fumo,	Jubelirer,	Murray,	Tilghman,
Gekas,	Kusse,	Nolan,	Wood,
Hager,	Lewis,		

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

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.

BILLS OVER IN ORDER

HB 885 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

SB 889, 890 and 891 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

SB 1295 — Without objection, the bill was passed over in its order at the request of Senator STAUFFER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1485 (Pr. No. 2138) — 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 DUFFIELD. Mr. President, I intend to vote against this bill without any personal reason one way or the other.

I have defended many hundreds of criminal clients accused of crimes during my career, including some thirty to forty murder cases. In no instance was anything said over the telephone that would help any Federal or State investigative agencies involved in it.

Mr. President, I believe that we are reacting to the hysteria of the times created by certain people who are advocating a police state.

I fought in World War II, as many others here did. Hitler used this. Hitler had brother talking against brother. Hitler used extensive wiretapping and eavesdropping and snooping. At that time this great country considered that reprehensible and a loss of our liberties, a loss of our right to privacy. But today, the hysteria of the times makes it very unpopular to oppose such a bill. The bill will pass because the politicians are so afraid of alienating the almighty press, and having their names in the press, by saying they voted against this bill for some nefarious, underhanded reason.

This bill would permit somebody talking on the beach to be snooped on at a distance. This bill would permit, as I understand it—and I was not here last week—for clients to come into a lawyer's office and promise things by the Federal government or State government in order to induce us, as members of the Bar, to say something that might cause our incarceration.

I realize there are merits in the bill and I sincerely and truly am as sincere as anybody in stamping out organized crime, the dope traffic, whatever it may be. I do realize that we, as State Senators, probably have our phones tapped now. For years, I have never said anything over the phone that I would not put in the paper or publish because I know that "Big Brother" is listening in.

To me that is a deplorable stage in the evolution of our so-called "civil rights" and "civil liberties" in this country. We have been proud that we have had a free country. We have been proud over many years because we have had freedom of expression of freedom of thought but that is becoming warped to the limit. We cannot talk to each other for fear the person to whom we are speaking may have a bug on him. They may even convince my wife to put a bug on her. It becomes a very great deprivation of our liberty. We must balance the equities here. We must balance as to whether that much would be gained by learning about crime through a surreptitious method or whether the effect would be to destroy our liberties. That is one of the things for which we fought World War II; it was to stop big government and "Big Brother" from the listening in on everything that goes on.

Do not tell me that it is not easy to get some reason against anybody to present a formidable case before a judge to require eavesdropping, especially if he is of the opposite political party and especially, as today, in the Federal Courts of Pennsylvania, you have selective prosecution. The Democrats are prosecuted; the Republicans are let go free. Believe me, I can cite example after example of this. Here are some; how about Pierce and Hellman in Pittsburgh; how about Hugh Scott and Heinz? Why did they prosecute Torquato and not Gleason? Because there is a Democratic election coming up. So, how far can we trust our own Federal authorities and State authorities for not using this as a weapon to make political prisoners out of Members of the other Party? They will do it.

If they will let the statute of limitations run on a man running for governor who was appointed as a Federal attorney by the most corrupt President we ever had, will let the statute of

limitations run on certain big shots in his party, what is to prevent him from getting a judge to wiretap somebody else in the opposite party that he wants to "get"?

We are living in times when some of the law enforcement agencies are being used as a tool of a certain political party and they are given more power—Ambassador Young's statement about political prisoners will seem trivial because we have them right here in Pennsylvania—by the means of selective prosecution.

You will also have selective eavesdropping. Let us not fool ourselves. The most pure and the most humble and the most virgin Member of this Senate could be the next one because of the feeling of the day. If they want to get you they can get you; if they want to present a petition before some judge on reasonable grounds to wiretap a person, they can make that petition look so good. They can go in before a judge and say, "Judge, the Philadelphia Inquirer and the Pittsburgh Press say that the Legislature is corrupt. Therefore, we want to eavesdrop the phones of every Senator and every House Member in Pennsylvania." This could be done on the simple basis that there are newspaper articles concerning certain alleged infractions of the law.

Mr. President, I know this bill will pass, as I stated before, but let those people who vote for this bill think how they would like to have their phone bugged. They say, "If I do not do anything wrong, let them investigate me all they want." They do not realize they do not have to do anything wrong to be under continual investigation, continual harassment; if they want to get you they will get you. This gives them another angle.

The big racketeers, the so-called organized crime in Pennsylvania will not be affected. They are going to be smart enough not to give any information over the phone, but the politician, the person who has, maybe, ruffled some feathers the wrong way, he is going to be hurt the most.

How would any Senator here love to have his home phone bugged and some policeman in his District listen in to all family conversations and intimate things that occur, unrelated to crime, unrelated to anything appertaining to criminal activity but yet see some jolly cop down in the police station calling, "Hey, listen to this conversation between his wife and her sister. Is it juicy?" and then spread it by word of mouth throughout the community. Of course, they are not allowed to, but they will not reveal their source.

This reminds me of the time when the great FBI wiretapped Martin Luther King for many years. Of course all I know about that is what I read in the paper. J. Edgar Hoover sort of got a kick out of telling Lyndon Johnson all the funny stories about alleged girl friends of Martin Luther King and how they went to various motels. Here we had the head of the FBI, the highest law enforcement officer in the country, dispensing this information to the President of the United States, who was a politician.

Simply stated, I am not talking from a personal standpoint. I do not care if my phone is bugged and I always assume that it is. I do not care if my clients' phones are bugged one bit, that just makes the case a little harder to win.

I sincerely, fervently believe down deep in my heart that this

is another step in this country toward the establishment of a police state, where "Big Brother" has to know everything that is going on. I am old enough to realize what occurred in Europe, what occurred with Hitler and how incensed we were. It could never happen in the United States. Of course, Hitler had the support of the German people. One of his reasons for wiretapping was the extermination of the Jews and to get enough on them and it had great public approval in Germany. Yet we, at that time, shuddered at the tactics of Adolf Hitler.

Russia uses it. Russia knows everything that is going on throughout Russia; but maybe crime is lower, maybe they are able to take care of the nefarious criminal elements of society by shooting them or something.

I might also ask anybody who votes for this bill, "Would you like to have your mail censored in the Post Office to find out who writes to you and what they are writing about?" I can see no distinction between the censorship of mail and the tapping of the phone. The tapping of the phone and electronic surveillance is more insidious and more cruel because there you do not usually know what is going on. When the agents come into the Post Office and demand to see all the mail going to John Doe and they, in the Post Office, open all the letters going to John Doe, what is the difference? Maybe next year we will be all for it; but at this stage in our thinking we would be against that if I would put in a bill to censor the mail. But what is the difference between censoring the mail and tapping phones? Both of them are private communications.

This country has become great without this regardless of what the doomsayers say. We have gone over 200 years as a great Nation. We have had certain freedoms in which we pride ourselves: the right of privacy is one; another is the sanctity of the home. With wiretapping we would be eroding further and further the human rights of the American citizen. To do what? I would say that we should aim our objective at training police and getting the proper law enforcement people and give them thorough, rugged training. I happened to see 60 Minutes last night, showing the extensive, exhaustive training of the Japanese police force in Tokyo. There are about twelve murders in Japan per million people. There are about 250 murders in New York City alone. They have wiretapping, I believe, in New York City, because we are supposed to be one of the states who do not have it.

There are so many ways we could speed up the war on crime. We have something like fifty murders of young girls unsolved in Western Pennsylvania. The Federal Bureau of Investigation is in on it because of the interstate aspect of the case and I assume there would be wiretapping. These are heinous, terrible crimes with which the police have been unable to cope and I assume, with the Federal government being on it, they have the availability of wiretapping.

What I am speaking of here—and I know as far as the vote is concerned, my words go on deaf ears—is the freedom of the individual.

The younger people probably do not recall the days when we had freedom in this country, the days when brother was not snooping on brother, when people would come into the lawyer's office and tell you the truth without the fear of being bugged,

when you could talk to your cousin from some other part of the State and not worry about his phone being bugged, when you did not have selective Federal prosecution. When we did not have these things, we had a strong and fervent country. We are eroding these strengths.

It was once written that Communism will never gain a foothold in this country; it will be from within. I am not a John Bircher, a rightist or anything else, but sometimes the more we see of these things, the more truth we might feel in some of these far-right utterances by some of these people that Communism or Nazism or some sort of totalitarianism has taken over.

The most efficient method of government is a dictatorship where one is not given a trial, he is shot once he has been accused. Utterances against the state in power at that time are punishable by death. If we want that in order to eliminate some aspects of organized crime, then we have that choice to make. I, for one, want individual liberty. I, for one, want the freedom to be able to get up here and speak like I am but I will probably be the next one under target because I am making this speech right here when many of the people do not have the guts to make it. I will probably be labeled now because I mentioned certain names that are holier than thou in the Commonwealth of Pennsylvania, but facts are facts and I have said the facts. When I am unable to say the facts, either by talking on the phone or talking on the Senate floor—and I am not asking for immunity from my speech here, I will say that any place—that we have selective prosecution today and this is another method to harness anybody who runs for public office. They are not worried about catching crooks. Otherwise, they would go out and get them because there are plenty to get.

Senator SCHAEFER. Mr. President, last week, as the Members know, we went through an intensive number of amendments, discussion and debate. During the course of that debate, many of the subjects and concerns expressed by my distinguished colleagues were covered.

The simple fact of the matter is that Senate Bill No. 1485 is not a bill that purports to allow everybody to listen to everything going on everywhere. The bill establishes a very detailed procedural requirement which is aimed at preventing the abuses, the outright illegal conduct which the gentleman from Fayette, Senator Duffield, so rightly and correctly deplors.

I spent a lot of time on this subject. I was the chairman of a subcommittee of the Committee on Judiciary which was assigned the responsibility of drafting and revising our current wiretap and eavesdropping laws. I am convinced that we have come up with a very workable and practical solution which, in my opinion, has a very balanced and proper concern for the rights of privacy and the freedom of speech which I hold as near and dear as the gentleman from Fayette, Senator Duffield. Unlike the gentleman, I am not prepared to question all of our law enforcement people. I do feel that our district attorneys, our proposed elected Attorney General and our appellate courts will act properly and adhere to the law. The simple fact of the matter is, if they do not want to pay attention to the law, no matter what we do, nothing will prevent that.

I would like to share with the Members a few comments from

a Congressional report which I quoted before, but I feel in light of today's discussion, they bear repeating. This is a report of the National Commission to Review Federal and State Laws Relating to Wiretap and Electronic Surveillance. This commission was established by the Congress to review Title III. Title III is the bill which authorizes Federal law enforcement agents and officials to conduct electronic surveillance. I have read this report and spent a lot of time analyzing this report.

A couple of points bear repeating. The Commission found that electronic surveillance is an indispensable aid to law enforcement in obtaining evidence of crimes committed by organized criminals. They further found it is especially effective in investigations of on-going conspiratorial, criminal activities which involve a high degree of organization such as gambling, fraud and dealing in narcotics.

The Committee on Judiciary and I believe the House Subcommittee on Crimes and Corrections conducted many extensive hearings on this subject. It is not an easy issue; it is a controversial one. The conclusion, in my opinion, which we must adhere to is that this is a necessary and very effective tool. We have spent an awful lot of time in analyzing, revising and tightening up the many procedural requirements which are a necessary condition before any court-authorized interception or eavesdropping may be done. As I stated on the floor on Wednesday, this commission concluded that these procedural requirements have effectively minimized the invasion of individual privacy in electronic surveillance investigation by law enforcement officers.

This is important. When properly implemented, these procedures have served to protect the privacy not only of innocent individuals but also the people who are the subject of the investigation. I point this out to the Members because like the gentleman from Fayette, Senator Duffield, and many of my colleagues, I have a very significant and committed concern.

In the bill we have some very significant criminal sanctions against any improper disclosures of information gathered by electronic surveillance. We have very significant criminal and civil sanctions against abuses. We are also requiring that people who are involved in electronic surveillances are notified of this. In my opinion, this, coupled with the sanctions, operates as a very important deterrent to improper activity.

Finally, and perhaps most importantly, we have centralized the responsibility for the possession, use and purchase of this equipment in our district attorneys and our proposed elected Attorney General. We say yes and agree that we do not want to leave this open to everybody. Therefore, we are allowing only those individuals who are our highest elected law enforcement officers to have this equipment.

Mr. President, I would urge a "yes" vote.

Senator O'PAKE. Mr. President, there is no doubt that this bill represents a major change in thinking by many of us here in the Pennsylvania Legislature. Many of us have changed our views on the necessity for some type of limited and carefully-controlled wiretap authorization statute. As a matter of fact, our Governor is among those who have come around to the point of view that, in light of this climate as we know it, in light of the sorry history which most Pennsylvanians are sadly

aware of in the past few years, something has got to change.

I want to emphasize that this legislation, Senate Bill No. 1485, is a major recommendation of the Special Senate Committee Investigating the Drug Laws of Pennsylvania. Our bipartisan committee spent more than nine months taking testimony, hearing from witnesses and making recommendations for improving the drug laws of Pennsylvania. Witness after witness came to us and told us that major drug traffickers come to Pennsylvania because they view it as a haven due to the fact that our law permits no legalized electronic surveillance.

The second point I would like to make is that our committee has worked long and hard, almost a year and a half now, on this bill—I am speaking of the Senate Committee on Judiciary—and we feel that we have taken what is a constitutional piece of legislation, because it is based on the Federal law which has been challenged on the privacy argument in the Federal courts and has been declared constitutional—and even written into that law more safeguards for individual privacy.

I would like to point out the third thing to those who have quite properly raised some very valid considerations. This is a balancing process here today; we have got to balance the potential evil with the absolute need for this type of thing as a tool against organized crime and against organized drug trafficking. I would like to point out to those who oppose this bill that there is a Sunset provision in this bill which means that it will be automatically terminated within three years unless re-enacted by the Legislature. That means that we will have the next three years to determine whether or not this bill is essential, whether it is working properly, whether the violation of individual rights outweighs the need to get at these kinds of organized criminal activity. Therefore, there is an automatic termination which I think should be a comfort to those of us who are concerned about possible abuse.

In conclusion, Mr. President, I think the climate has changed in Pennsylvania. I believe it is quite clear that we need this as the power, the threat for properly constituted legal officials to get at organized crime; with drug trafficking sometimes it is the only way possible. It is a good piece of legislation; it is carefully written to protect individual liberties and I hope it will pass by an overwhelming majority here today.

Senator FUMO. Mr. President, I rise to speak against this bill for a number of reasons. Before I do that, I would like to emphasize one of the reasons.

This Chamber turned down an amendment last week that would prevent surreptitious entry for the placing of bugs, i.e., the prevention of someone breaking into a home to place a bug. One of the arguments put forth was—and I was questioned on it and responded that I did not have the data at that time, but I would have it this week—that that could not happen in America. One could not be allowed to break into someone's home and plant a bug and then have the evidence used. That only happened in Watergate and that was illegal.

I would like to refer this Body to 426 Federal Supplement, page 862, United States of America v. Dalia. That is a Third Circuit case, gentleman, which is our Circuit in the Federal Courts. I will cite from just one small portion of that case, “. . .

it was not necessary for the government to obtain explicit judicial approval of an otherwise illegal breaking and entering for the purpose of installing an electronic eavesdropping device.”

There are other cases on the issue. Another one in the Third Circuit, United States of America v. Scafidi which appears at 564 Fed. (2nd) 633 holds for the same proposition. These are two Third Circuit Court opinions which allow an individual to break into your home to plant a bug and, not only that, return to fix the batteries in it, without a warrant, gentlemen. This is in the United States of America. That is Title III. If that is what we want, that is what we will get.

That is not what I want and I honestly do not believe that is what the people of Pennsylvania want if they knew what was going on in this Chamber. The safeguards which have been talked about in this bill are an utter sham. The promises which have been made to us that this is only going to be in the hands of elected officials is a sham. The amendment which was introduced clearly said, “or his authorized agents.”

If we vote for this bill, we vote for a bill which allows ex parte justice before the Superior Court of Pennsylvania. I have no complaint with the Superior Court specifically, but I want to remind this Body that it was the appellate courts which developed a slush fund called a proprietary fund, I believe. I believe the gentleman from Montgomery, Senator Tilghman, and other Senators on the Committee on Appropriations exposed that. Yet, we argued here last week that those gentlemen could never do anything wrong.

This bill would allow breaking and entering to plant wiretaps and bugs. It would allow wiretapping and bugging by untrained individuals, another issue which everyone agreed should not happen, but do not worry about it, it will be okay. It even prevents innocent victims of illegal wiretapping from being able to obtain any sort of substantial damages. We voted down an amendment to prevent that.

Mr. President, the fears expressed to this Chamber by the gentleman from Fayette, Senator Duffield, about “Big Brother” and a police state are very real today in Pennsylvania. If that is the mentality of this Body, I hope to be able to come back here in three years when, hopefully, the gentleman from Berks, Senator O’Pake, says that those reports will be filed and we can reassess this bill. Perhaps this Chamber at that time will agree with what I am saying today.

However, in the process we will have lost three years of the invasion of privacy, of our individual rights in America. Hopefully, in those three years, this cycle will not get out of hand and grow worse. I hope in those three years that the individuals do report all the wiretapping. Much of it will be illegal; much of it will go unreported. Watergate was not reported; it was reported due to the media.

I remind the people who are interested in the First Amendment and the people who are interested in the freedom of the press that this bill would allow local officials to tap the phones of reporters if they can show by some very easy method that a crime might be committed. I believe that just happened in New Jersey where an individual had records on a murder case.

This is the door we are opening; I will not open that door. Regrettably I might have to watch it being opened for me.

Senator HAGER. Mr. President, with all of the fears and objections which have been raised, some of which I share, I am going to vote "yes" for this bill.

As a matter of fact, in 1977, prior to the introduction of this bill or the Howard bill, which also precedes it, I introduced a bill calling for the limited use of wiretapping and electronic surveillance through the use of body bugs and other transmitters. Frankly, my bill was much narrower in scope than the bill which is before us today. It called for wiretapping only of conversations where one of the parties agreed, where one of the parties consented. I felt that was a serious flaw in my bill but I really did not believe that this Senate would be ready to go so far as it appears ready to go now.

I share the concern of the gentleman from Fayette, Senator Duffield, about the kind of use which may be put to electronic eavesdropping. It is very possible that we are giving to law enforcement officials the kind of discretion which might be abused and which might be used for political witch hunting, for enemy embarrassment, political or financial or business or anything else.

I hope, however, that, in the granting of this authority to these people, we will see them rise in stature to the use of this kind of very potent law enforcement technique against those who need the very potent enforcement of very potent law enforcement techniques.

I recall being District Attorney in Lycoming County at a time when it was legal to wire, as they say, an informant; to wire a police undercover agent. I can tell the Members of a prosecution in Lycoming County which never would have been, which netted one of the people who was at the bottom of a—very large for us but, I suppose, in the overall—very small ring of people involved in gambling and a lot of other things which never would have been possible had we not been able to send that undercover police officer in with a radio. All he did was let us know what was going on in there. All he did was have conversations with others which let us know when it was time to go in and find the pool slips and bookmaking paraphernalia before it hit the pot-bellied stove, which is where it had gone on every other attempt.

The fact is there is a lot of serious crime in this State which goes unprosecuted because of the unavailability of this kind of investigatory tool and prosecutorial tool.

The fact is that unless District Attorneys, unless the new Attorney General understand that it is the intention of this Body to give them this kind of tool for the use against serious crime, there is the very real possibility that my phone, your phone and everybody else's phone will be bugged in the hope that somebody will uncover a political call being made from a government phone. I hope that is not the case. I hope we are able to practice our profession without that kind of fear. I hope we are able to be secure in our homes and that law enforcement officials will be interested in the serious criminal, the one who would defraud, the one who would abuse the trust he has by being in public office, but particularly those who would traffic in drugs or those who would attempt to bribe or extort; the serious crimes.

Mr. President, under present law it is not even possible to

record a telephone conversation in which your wife or sister or daughter is being told the most disgusting of obscene things.

Under present law, the person who would corrupt the bodies and the minds and kill through drugs remain secure from intervention by a law enforcement official.

Under present law, the person who would extort from a public official, or anyone else, or the person who would bribe is immune from this kind of investigatory technique.

When you put it all together, Mr. President, and when you look at it from every side, with all the dangers which exist, it still becomes pretty obvious to me that we must pass this law.

There are some problems in definitions which I wish to discuss with our brethren in the House to see if they can be tightened. In all other ways I believe it is imperative that we send a signal, as my friend Richard Thornburgh said, to those who would corrupt around this State that the Senate of Pennsylvania will no longer tolerate it.

Senator BELL. Mr. President, as one of the older Members of the Senate, I can recall when it was safe to walk on the streets in the Commonwealth of Pennsylvania. I can recall, as a younger House Member, coming to Harrisburg. You could then actually walk downtown in Harrisburg after dark.

Then came a different attitude with our courts; then came an attitude that swept through this Nation that we must protect the rights of the criminal.

I once was Chairman of the Committee on Judiciary of the Senate and I can recall talking to one of the great civil rights fighters, the State President of the American Civil Liberties Union. I said, "Are you interested in protecting the rights of everyone?"

He said, "Yes."

I said, "Then when the hell are you going to start protecting the rights of the victim?" That is what we have here today.

We speak of the rights against invasion of privacy. Of whom? Those who can be charged with a rather heinous crime. I have not heard anybody say anything about the invasions of the rights of a family whose teenager is being killed on drugs. I have not heard anybody talk about the rights of Senator Bell to walk on the public highway.

My constituents are fed up with the protection of the rights of the criminal and my constituents believe it is time to return law and order to our neighborhoods.

Again, as a younger man, I did not hesitate to go away and even leave the doors unlocked in my neighborhood. Today, every night, my neighbors are being ripped off by people whose rights are being protected.

Mr. President, I can go back to the time when this bill was passed in Pennsylvania protecting against the use of body bugs, the "big ear." I believe the only thing that resulted from that is a condition in Pennsylvania where the major criminals are better prosecuted by the Federal authorities because they do have the tools to protect the victim.

I ask my good friend, the gentleman from Fayette, Senator Duffield, to come to Delaware County, to come to the Philadelphia courts and he will find that a Republican political officeholder right now is on trial by the Federal courts. I do not believe they are partial because when they hit, they hit hard.

Again, I believe my phones have been wiretapped and I follow a quaint little custom when I feel that way. When I start the conversation, I say, "Hello, Mr. FBI," and do you know what? None of them ever answered back.

Senator McCORMACK. Mr. President, I know the hour is late and I will not trespass upon the time of the Senate too long. However, to sit back and not speak would possibly indicate that I agree with some of my fellow Senators who are strongly against this bill.

If I were living in a different time I would certainly be swayed by the persuasiveness and force of the distinguished gentleman from Fayette, Senator Duffield, in his arguments against this bill. No one can deny the evils that are possible when we enact legislation such as this which certainly does invade the rights of an individual, the rights to privacy. However, we are living in different times.

I recall last week the gentleman from Philadelphia, Senator Fumo, was arguing in favor of amendments, many of which I thought were good, many of which I thought would strengthen this bill and protect, to a greater degree, the individual's right to privacy. He recalled and produced an editorial in a local paper, I believe it was the *Inquirer*, which, at that particular time argued that we should ban totally electronic eavesdropping and wiretapping. But today we are faced with organized crime in Pennsylvania; so much so that the other newspaper in Philadelphia, *The Philadelphia Bulletin*, pointed out that the criminals in New Jersey were finding a haven in Pennsylvania because of the restrictive laws that interfere with their operations in New Jersey.

Political corruption: The people are concerned about it and the people are insistent that this Legislature do something about it.

With respect to the right of privacy on the telephone, perhaps the gentleman from Fayette, Senator Duffield, can seek some solace in an old opinion, I believe it was by Judge Woodside back in the 1950s, wherein he said anyone in Pennsylvania who makes a telephone call cannot expect to have any right of privacy; and he related the history of telephones in Pennsylvania where you have multiple lines, people using party lines. Many of those conversations were listened to. I certainly expect to have my telephone tapped and I certainly expect the possibility that many of the other Legislators will have their telephones tapped. That is a repulsive idea but I believe it is more important that we give this effective tool to the law enforcement officials to ferret out organized criminal activity and corrupt politicians. If I am going to be corrupt, then maybe it is a good idea that someone will be able to listen because anything that I say on the telephone will not be coerced from me, it will not be extracted from me by the rack and by the torture chamber; it will be a voluntary statement.

Mr. President, I hope when we pass this legislation—and I feel confident it will be passed—it will cause Legislators and public officials to be a little more circumspect and to be a little more concerned about traducing their oath of office. It is a bad bill but it is a bill that we need today. For that reason, I am going to support the bill, with the knowledge that the District Attorney of Philadelphia is strongly in favor of it. He has re-

quested the Philadelphia delegation to support it and he has also informed us that the Pennsylvania Association of District Attorneys has endorsed this type of legislation as a necessary tool to combat official corruption and organized criminal activity.

Senator DUFFIELD. Mr. President, I think a brief reply is in order. Yes, I will admit to my dear friend from Philadelphia that we are living in different times. He states that we do not have the rack and torture chamber; that will come tomorrow. We are gradually going toward that rack and torture chamber and I will say in a few years we will be here and vote for the rack and torture chamber.

It is amazing the hesitation that the protagonists of this bill have toward voting for it. My dear friend, the gentleman from Lycoming, Senator Hager, says that he hopes there will not be political witch hunting. He hopes there will not be enemy business harassment. He hopes that. Suppose there is? Suppose his hopes are not fulfilled and suppose many lives are destroyed by arrogant power-seeking district attorneys in the Commonwealth?

That argument is about as phony as the arguments made for no-fault insurance; that it would be the panacea for all the insurance problems in the State and once we passed no-fault insurance, the premiums would go down, there would be a happy adjuster there ready to pay us as soon as we had an accident and we were going to live in Utopia as far as automobile insurance is concerned.

I have recently been in Arizona with my wife. They have wiretapping. Yet, they have the same problems we do and they claim they are the worst in the United States. The gentleman from Delaware, Senator Bell, talks about walking the streets of Philadelphia or Chester County. Why does he not go to New York where they have wiretapping? Will he be safe there? There is no state in these United States—and I believe we are the only State that does not have some form of wiretapping. I have read some of the propaganda. But, if you have ever been in another state, if you get out of your territorialism, your secluded domicile here in Pennsylvania and go to other places, you will find they have kids harassing the phone there. You will find they have drug traffic there, some places far worse than Pennsylvania. Phoenix, Arizona is considered the racket capital of the United States.

Not too long ago there was a reporter who was brutally killed by the racket elements in Phoenix, Arizona. In Maryland they have a governor who is either going to jail or in jail because of political corruption. They tried to put our Governor in jail for eight years; they surveilled him and tapped him for eight years. He is probably the most honest man in the Commonwealth. Otherwise, he would be in jail also.

What does it solve? Passage of this bill is not going to be the panacea which has been set forth, that we are going to stop the dope traffic; we are going to stop harassment of little kids on phones. That is a bunch of plain bull.

Most of this dope traffic, if anybody knows anything about it and from what you read in the papers, is interstate. It takes very little for the Federal government to make an interstate case so the FBI can come in and wiretap. They can wiretap

these people today. I will assure the gentleman from Delaware, Senator Bell, that if we pass this bill, he still might get raped out on Chestnut Street in Philadelphia, much to his pleasure.

And the question recurring,
Shall the bill pass finally?

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

YEAS—42

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

NAYS—6

Arlene,	Fumo,	McKinney,	Noszka,
Duffield,	Hankins,		

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

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

BILL RECOMMITTED

SB 1504 (Pr. No. 2041) — Upon motion of Senator MESSINGER, and agreed to, the bill was recommitted to the Committee on Education.

BILL OVER IN ORDER

SB 1601 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1605 (Pr. No. 2082) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

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

Senator SMITH. I will, Mr. President.

Senator STAUFFER. Mr. President, my understanding is that this bill is to provide the funds to drill a deep well at Dallas, is that correct?

Senator SMITH. That is true, Mr. President.

Senator STAUFFER. It is also my understanding, Mr. President, that the estimated cost of this bill is something in excess of a quarter of a million dollars. Is that correct?

Senator SMITH. That is correct, Mr. President.

Senator STAUFFER. Mr. President, can the gentleman ex-

plain to the Members why it would cost such a huge amount of money to drill this well? I think most of us are aware of costs that are only a tenth of this to do this kind of work.

Senator SMITH. Mr. President, in this particular case it would appear as though it is a large amount of money to appropriate for a well. We are talking about a deep well; we are talking about piping it to a pumphouse; also the construction of a pumphouse, together with the pumps. Collectively, Mr. President, the amount of money asked for in the bill is a good estimation of the true cost.

Senator STAUFFER. Mr. President, will the project go to public bid?

Senator SMITH. Mr. President, it is my understanding that it must go to public bid.

Senator STAUFFER. Mr. President, that is the only interrogation I have. If it is going to public bid, perhaps the prices may come in a whole lot more in line with what most of us think the cost of this kind of work would normally be.

And the question recurring,
Shall the bill pass finally?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—35

Andrews,	Hager,	Messinger,	Scanlon,
Arlene,	Hankins,	Murray,	Schaefer,
Bell,	Holl,	Nolan,	Smith,
Coppersmith,	Kelley,	Noszka,	Stapleton,
Dougherty,	Kury,	O'Pake,	Stauffer,
Duffield,	Lewis,	Orlando,	Stout,
Early,	McCormack,	Reibman,	Wood,
Fumo,	McKinney,	Romanelli,	Zemprelli,
Gurzenda,	Mellow,	Ross,	

NAYS—12

Corman,	Hess,	Jubelirer,	Moore,
Dwyer,	Hopper,	Kusse,	Snyder,
Gekas,	Howard,	Manbeck,	Tilghman,

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.

SECOND CONSIDERATION CALENDAR

BILLS ON SECOND CONSIDERATION

HB 122 (Pr. No. 2497), HB 123 (Pr. No. 2498) and HB 199 (Pr. No. 3688) — Considered the second time and agreed to, Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 210, 222, 232, 238 and 276 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 504 (Pr. No. 3680) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL REFERRED

SB 599 (Pr. No. 2085) and SB 652 (Pr. No. 694) — Upon motion of Senator MESSINGER, and agreed to, the bills were rereferred to the Committee on Appropriations.

BILLS ON SECOND CONSIDERATION

HB 668 (Pr. No. 3681) and HB 675 (Pr. No. 753) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 813 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 872 (Pr. No. 3700) and HB 884 (Pr. No. 1557) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 956 — Senator MESSINGER. Mr. President, I request that House Bill No. 956 go over in its order.

Senator HAGER. Mr. President, I object to House Bill No. 956, Printer's No. 1105 going over in its order.

Senator MESSINGER. Mr. President, I move that House Bill No. 956 go over in its order.

On the question,

Will the Senate agree to the motion?

Senator HAGER. Mr. President, I understand the ruling and I believe everyone understands what the vote is about. I am merely asking for a roll call vote.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—26

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

NAYS—22

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

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

The PRESIDENT. House Bill No. 956 will go over in its order.

BILLS ON SECOND CONSIDERATION

SB 977 (Pr. No. 2086), SB 1030 (Pr. No. 2136) and SB 1156 (Pr. No. 2124) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 1229, 1230, HB 1249, SB 1271, 1495 and 1524 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

SB 1536 (Pr. No. 1982), SB 1580 (Pr. No. 2087), SB 1581 (Pr. No. 2088), SB 1582 (Pr. No. 2089), SB 1583 (Pr. No. 2090), SB 1584 (Pr. No. 2091) and SB 1586 (Pr. No. 2092) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL REFERRED

SB 1595 (Pr. No. 2072) — Upon motion of Senator MESSINGER, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION

SB 1596 (Pr. No. 2073) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 1603 and 1604 — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

SB 1606 (Pr. No. 2083) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1702 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 1714 (Pr. No. 3684), HB 1762 (Pr. No. 3685), HB 1767 (Pr. No. 2146) and HB 1824 (Pr. No. 3666) — Considered the

second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1863 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 1949 (Pr. No. 2411) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 1980 — Without objection, the bill was passed over in its order at the request of Senator MESSINGER.

BILLS ON SECOND CONSIDERATION

HB 2012 (Pr. No. 3371) and **HB 2013 (Pr. No. 3372)** — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 2067, 2097, 2185 and **2305** — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

BILL ON SECOND CONSIDERATION

HB 2369 (Pr. No. 3703) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 2392, 2393, 2397, 2398, 2399 and **2506** — Without objection, the bills were passed over in their order at the request of Senator MESSINGER.

UNFINISHED BUSINESS

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Chor-Bishop George J. Webby, Vicar General, Diocese of St. Maron and to Asher Naim, Consul General of Israel by Senator Murray.

Congratulations of the Senate were extended to Rita Graff by Senator Romanelli.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur E. Anderson and to Mr. and Mrs. Allen Prince by Senator Kusse.

Congratulations of the Senate were extended to Nellie Greene by Senator Hankins.

Congratulations of the Senate were extended to Glenn Shaffer by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. James F. Pace by Senator Orlando.

Congratulations of the Senate were extended to Mr. and Mrs. Lee Dobson, Mr. and Mrs. Elmer Duck, Mr. and Mrs. Andrew

G. Knapik, Mr. and Mrs. Paul J. Rearick and to Mr. and Mrs. Merle A. Knepp by Senator Corman.

Congratulations of the Senate were extended to Joe J. Hudak and to Ned Weston by Senator Andrews.

Congratulations of the Senate were extended to Charles J. Sludden by Senator Bell.

BILLS ON FIRST CONSIDERATION

Senator ARLENE. 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:

HB 46, 648, 663, 1115, 1698, 2091, 2092, 2099, 2214, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2227, 2228, 2229, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2314, 2339, 2340, 2341, 2342, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2488, 2489 and **2490**.

And said bills having been considered for the first time,

Ordered, To be laid aside for second consideration.

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Senator Smith has just advised me that he has postponed this afternoon's meeting of the Committee on Appropriations. There will be one tomorrow at 10:00 a.m. This information will be included in announcements by the Secretary but, inasmuch as we appear to be proceeding to a few Petitions and Remonstrances, I just wanted the Members to know that. There will be no meeting of the Committee on Appropriations tonight. There will be a meeting tomorrow.

PETITIONS AND REMONSTRANCES

Senator SCHAEFER. Mr. President, today we took a vote to go over House Bill No. 956 and a quick glance at the Calendar indicates that this is a bill which would amend the Pennsylvania Election Code. There was a vote on that issue and I voted to go over the bill and would like to explain my reasons.

It is no secret, I believe, that the distinguished Minority Leader was in a position, or his intention was, to offer for immediate consideration amendments to House Bill No. 956 that would have required and set up a very intricate and worthwhile reform of our present campaign financial disclosure laws.

I would like to state why I agreed to go over the bill because the fact of the matter is, I received these fourteen or fifteen pages of amendments at about 3:00 o'clock. The Minority Leader was very gracious in affording me, on the floor, during the debate on wiretap, too, an analysis of this legislation. I wish to assure him that tonight I will not only read the amendments but also his analysis. If I feel the amendments do what I want them to do I will be more than willing to support him. I want to state that on the record here and now.

The fact of the matter is, if I can remind the distinguished Minority Leader, I am the prime sponsor of legislation after which House Bill No. 2444 was modeled. Unfortunately, we

have not been successful in getting it out of committee.

Mr. President, when this issue was discussed in caucus today, the Chairman of the Committee on State Government told us—and I take the man at his word—that tomorrow two bills will be brought up for consideration, Senate Bill No. 1333 and House Bill No. 404, which are on this subject.

With this in mind then, number one, the Committee on State Government is bringing up two items of legislation that deal directly on this topic and, number two, that I wish to have the evening and tomorrow morning to review this very intricate and necessary legislation, so I voted to go over the bill. I do not want my vote in support of this bill going over to be interpreted in any way whatsoever as an effort to prevent what I feel to be one of the most significant reforms of this Session, that is, a reform of our financial disclosure law.

So I say to the Minority Leader, rest assured, we will be with you tomorrow.

Senator REIBMAN. Mr. President, I wish to endorse the remarks of my colleague who preceded me, the gentleman from Allegheny, Senator Schaefer, about going over this bill. I too received the amendments late this afternoon and have not yet received a copy of the analysis. They are far-reaching and I am very much in favor of this kind of legislation and hope that we will be able to deal with it tomorrow.

However, I rise for another purpose. Back in 1973 I cosponsored a bill that would gradually have phased out the Senatorial Scholarships. That bill never came out of committee.

In the 1975 Session I also introduced a bill which would have increased the amount of awards for the scholarship and grant program under the Pennsylvania Higher Education Assistance Agency to help those people more who are in the middle income group to qualify. That too never came out of committee.

Today I introduced a bill, with some of my colleagues whom I asked to cosponsor it, which would establish a merit scholarship program. Very briefly, because I know the hour is late, just let me say that the purpose of the bill is to phase out the existing Senatorial Scholarship Program and, in its place, we would establish a new merit scholarship program for both undergraduate and graduate students. The new undergraduate merit scholarships would be named after the late Senator Wilmot Fleming.

The procedure would be as follows: PHEAA or Pennsylvania Higher Education Assistance Agency would develop and administer a testing program. PHEAA would then rank the participating students based on these test results and financial need. The top 100 students statewide and the top-ranked student in each Legislative District would then be called "Wilmot Fleming Scholars." The scholarship would be for the cost of tuition fees but not in excess of \$5,000 per academic year and would be used in any PHEAA approved institution in Pennsylvania.

The graduate scholars would also be ranked by merit and the procedure would be this way: There are three classes of graduate scholarships. One, the candidate for nomination would be within the top merit ranking students in a Representative's District or the top forty in a Senatorial District. These would then receive a one time \$100 grant.

The second class is the nominee class. Each Representative should select five names from the ten candidates for nomination in his or her District. Each Senator should select twenty names from the forty candidates for nomination in his or her District. The award then is \$250 for each one of these.

The third class is the graduate award winner. Each Representative and each Senator selects one grant winner from the list of nominees to receive a grant for the cost of tuition and fees of \$5,000, whichever is less.

Mr. President, I am hoping that due consideration will be given to this new program and perhaps this may be one answer out of the dilemma in which we find ourselves.

Senator HAGER. Mr. President, I hope the gentleman from Allegheny, Senator Schaefer, somewhere in this building has his loudspeaker on and can hear my comments because I welcome, truly, his comments on the amendments which I was about to offer tonight and was precluded from doing so by his vote and that of a number of others from the other side of the aisle, who did not want those amendments to come up today.

I have talked to a number of my colleagues on the other side of the aisle who tell me, as he has told me, that they will support these amendments to the bill tomorrow once they have had an opportunity to review them. That is, indeed, fortunate, because these amendments are not mine and I claim no pride of authorship. As a matter of fact, they are the amendments offered by the leadership of the Democrat Party in the House of Representatives. They are the Manderino and Irvis amendments which have been so praised by Common Cause and I believe it is time that Messrs. Manderino and Irvis have the opportunity to get these provisions moving. Unfortunately, they do not seem to be able to get them moving in the House of Representatives. I do not know whether that is by design or otherwise. However, the fact is that we have the opportunity here in the Senate at a time when I believe the public has some interest in taking a bill having to do with election and put these very important election reforms into it. I believe they are election reforms which appear to be agreed upon by most of the Members of this Body. I can tell you, Mr. President, they are agreed upon by every Republican Member of this Body and I assume by most of the Democrat Members.

There really is no reason for us to forego this opportunity to get election reform in a meaningful fashion out of this Body and over to the House of Representatives in an amended bill which does not, then, have to pass that sharpened knives test of some committee, where the people of this State and the many Legislators of this State, who favor election reform, will have an opportunity to get it done.

I might also say, Mr. President, that this is not the only opportunity we will be providing to the Senate this week and in the next few coming weeks. We intend to see that this Senate has an opportunity to express its will on Senatorial Scholarships, which we have been trying to get rid of for some time now; to give them an opportunity to vote, hopefully, on the package of bills which we introduced back in January of 1977, including giving the right to the Pennsylvania Economy League and representatives of twelve other organizations to take a look at the spending guidelines for the Senate of Penn-

sylvania and recommend just how we should be spending our money and in what amounts and then give us the opportunity to vote upon that report as a resolution which comes directly to the Senate Calendar.

We also are going to be looking for every opportunity to bring before this Senate the crime package, a part of which passed this Senate handsomely today. However, we still have not dealt with a tightened perjury statute; we still have not dealt with immunity; we still have not dealt with an independent crime commission. These opportunities, and others like them, we intend to give to the Senate now, before it rushes to adjournment.

If it be thought that what we are looking for is an opportunity to seek headlines, no, that is not right. What we are doing, it seems to me, is taking the opportunity which has been presented by the headlines—as was pointed out two years ago when we finally did get reform of the Senate Rules allowing for, in fact, compelling complete disclosure monthly of the expenditures of this Body.

It is difficult, sometimes, for one or two or twenty to get something done in a Legislative Body. Sometimes it is hard to win a fight there but, when you have the support of the public and you have the support of the media and you can win in a bigger battleground, sometimes those battles outside have a beneficial effect inside. It seems to us that now is another such watershed moment. We think the Rules of the Senate by the spending practices of the Senate are going to be changed and we think that we should do it. We believe we should do it as a Senate, not as Republicans forcing Democrats, not as Democrats acceding to Republican will. We believe we should do it as a Senate because the old times are gone and the new ones, thank God, are here. We will provide the opportunities. There will be plenty to do.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, SEPTEMBER 19, 1978

- 9:00 A.M. **MILITARY AFFAIRS AND AERONAUTICS** (to consider Senate Resolution No. 223; House Bills No. 131 and 2142) Room 168
- 9:30 A.M. **ENVIRONMENTAL RESOURCES** (to consider Senate Bills No. 9, 1539; House Bills No. 51, 133, 471, 552, 1508, 1673, 1778, 1859 and 1880) Senate Majority Caucus Room
- 10:00 A.M. **APPROPRIATIONS** (to consider Senate Bills No. 86, 87, 1022, 1350; House

- Bills No. 80, 408, 1785, 1834, 2027, 2207 & 2542)
- 10:30 A.M. **JUDICIARY** (Public Hearing on the nomination of Honorable Donald E. Wieand, Lehigh County, for Judge of the Superior Court; also to consider House Bills No. 1521, 1523, 2007, 2138 and 2437) Room 450
- 11:00 A.M. **LABOR AND INDUSTRY** (to consider Senate Bills No. 1526, 1551, 1552, 1608; House Bills No. 1330, 1446, 2149, 2220, 1462 and/or Senate Bill No. 1544) Senate Majority Caucus Room
- 11:30 A.M. **EDUCATION** (to consider Senate Bill No. 1176; House Bill No. 1833 and receive the report of the subcommittee on House Bill No. 1358) Room 188
- 12:00 Noon **RULES AND EXECUTIVE NOMINATIONS** (to consider Senate Resolutions No. 96, 117, 118, 121, 221, 222; House Resolution No. 196 and certain Executive Nominations) Rules Committee Conference Room
- 12:30 P.M. **AGRICULTURE AND RURAL AFFAIRS** (to consider Senate Bill No. 558 and House Bills No. 104, 1097, 2145 and 2487) Room 182
- 1:00 P.M. **STATE GOVERNMENT** (to consider Senate Bills No. 1333, 1592 & House Bill No. 404) Room 350

WEDNESDAY, SEPTEMBER 20, 1978

- 9:00 A.M. **FINANCE** (to consider Senate Bill No. 1473) Senate Minority Caucus Room
- 9:30 A.M. **CONSUMER AFFAIRS** (Hearing on House Bill No. 2200) Senate Majority Caucus Room
- 10:00 A.M. **Special Senate Committee** to investigate Cable Television service in Philadelphia County pursuant to Senate Resolution 104 Room 168
- 10:30 A.M. **URBAN AFFAIRS AND HOUSING** (to consider Senate Bill No. 1623) Room 168

THURSDAY, SEPTEMBER 21, 1978

10:00 A.M.	Special Senate Committee to investigate legalizing dog racing and jai alai in Pennsylvania (Public Hearing)	Senate Majority Caucus Room
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MONDAY, SEPTEMBER 25, 1978

10:30 A.M.	JUDICIARY (agenda to be announced at a later date)	Senate Majority Caucus Room
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WEDNESDAY, SEPTEMBER 27, 1978

9:30 A.M.	CONSUMER AFFAIRS (Hearing on Acts No. 215, 216 of 1976)	Senate Majority Caucus Room
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ADJOURNMENT

Senator MESSINGER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 19, 1978, at 2:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

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