

Legislative Journal

MONDAY, MARCH 5, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 11

SENATE

MONDAY, March 5, 1979.

The Senate met at 3:00 p.m., Eastern Standard Time.

The PRESIDENT (William W. Sranton III) in the Chair.

PRAYER

The Chaplain, The Reverend ROBERT A. MONGOLD, Pastor of Scotsville United Methodist Church, Langhorne, offered the following prayer:

Let us pray:

Almighty and most merciful God, we seek Your presence here that those entrusted with the responsibilities of government may feel the sustaining power of Your presence.

Grant that, in all things, we may seek to preserve and to defend the dignity of human life.

Help us to create fair and equitable systems where justice combines with mercy for the common good of all.

Bless and sustain the Governor of this State and those of this Body that what is done here may reflect Your will and purposes. In Your most holy Name, we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Mongold who is the guest this week of Senator Lewis.

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 ZEMPRELLI, further reading was dispensed with, and the Journal was approved.

SENATOR ZEMPRELLI TO VOTE FOR SENATOR SMITH AND SENATOR ROMANELLI

Senator ZEMPRELLI. Mr. President, at this time I would request a legislative leave of absence on behalf of Senator Smith for today only.

I also request a legislative leave of absence on behalf of Senator Romanelli for March 5th, 6th and 7th, if in Session.

The PRESIDENT. Senator Zemprelli asks leaves of absence for Senator Smith for March 5th and Senator Romanelli for March 5th, 6th and 7th.

The Chair hears no objection and the request is granted.

GENERAL COMMUNICATION

LISTS OF LOBBYISTS AND ORGANIZATIONS

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

March 5, 1979.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered for the month of February, 1979 for the 163rd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:

MARK GRUELL, JR.
Secretary of the Senate

CHARLES F. MEBUS
Chief Clerk
House of Representatives

The PRESIDENT. These lists will be printed in the Appendix of the Senate Journal.

REPORTS FROM COMMITTEES

Senator STAPLETON, from the Committee on Appropriations, rereported, as committed, **SB 3 and 4**.

Senator MCKINNEY, from the Committee on State Government, reported, as committed, **SB 58, 64, 137, 138 and 281**; as amended, **SB 139 and 197**.

BILLS INTRODUCED AND REFERRED

Senators MESSINGER, SCANLON, LEWIS, STAPLETON and REIBMAN presented to the Chair **SB 340**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sale Law," increasing the fee charged by tax claim bureaus for a lien certificate.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 341**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sales Law," increasing the rate of interest charged for late payment of taxes.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 342**, entitled:

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled "The Local Tax Enabling Act," increasing the rate of interest charged for late payment of taxes.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 343**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 344**, entitled:

An Act amending the act of June 15, 1961 (P. L. 373, No. 207), entitled "Inheritance and Estate Tax Act of 1961," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 345**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149, No. 105), entitled, as amended, "The Liquid Fuels Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 346**, entitled:

An Act amending the act of May 23, 1945 (P. L. 893, No. 360), entitled "Co-operative Agricultural Association Corporate Net Income Tax Act," increasing the rate of interest charged on late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 347**, entitled:

An Act amending the act of June 19, 1964 (P. L. 7, No. 1), entitled "Motor Carriers Road Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Transportation.

They also presented to the Chair **SB 348**, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965, No. 550), entitled, as amended, "Fuel Use Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Transportation.

They also presented to the Chair **SB 349**, entitled:

An act amending the act of March 10, 1970 (P. L. 168, No. 66), entitled, "Public Utility Realty Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 350**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," increasing the rate of interest charged on late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 351**, entitled:

An Act amending the act of July 22, 1970 (P. L. 513, No. 178), entitled "Pennsylvania Cigarette Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 352**, entitled:

An Act amending the act of June 22, 1935 (P. L. 414, No. 182), entitled "State Personal Property Tax Act," increasing the rate of interest charged for late tax payments.

Which was committed to the Committee on Finance.

Senators ROMANELLI, SCANLON, LOEPER, HOWARD, STAUFFER, COPPERSMITH, GREENLEAF, MURRAY, SCHAEFER, LEWIS and PECORA presented to the Chair **SB 353**, entitled:

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as amended, "Senior Citizens Property Tax or Rent Rebate Act," further providing for the definition of "income."

Which was committed to the Committee on Aging and Youth.

Senators ROMANELLI, REIBMAN, SCHAEFER and DWYER presented to the Chair **SB 354**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," authorizing the board of school directors to utilize its own maintenance personnel for certain work irrespective of the cost of such work.

Which was committed to the Committee on Education.

Senators ROMANELLI, LOEPER, HOWARD, MURRAY, SCHAEFER and DWYER presented to the Chair **SB 355**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," authorizing the board to issue subpoenas to compel attendance at certain hearings.

Which was committed to the Committee on Education.

Senators ROMANELLI and SCHAEFER presented to the Chair **SB 356**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for the taking of votes by joint school boards.

Which was committed to the Committee on Education.

Senator GEKAS presented to the Chair **SB 357**, entitled:

An Act reenacting and amending the act of November 26, 1978 (P. L. 1179, No. 276), entitled "An act authorizing the Department of General Services with the approval of the Governor and the Secretary of Public Welfare to convey a certain tract of ground situate in Susquehanna Township, Dauphin County," further describing the tract.

Which was committed to the Committee on State Government.

Senators GEKAS, GURZENDA, SNYDER and MANBECK presented to the Chair **SB 358**, entitled:

An Act amending the act of October 4, 1978 (No. 170), entitled "Public Official and Employee Ethics Law," adding a short title and authorizing political subdivisions and local authorities to adopt a code of ethics.

Which was committed to the Committee on State Government.

Senators ARLENE, SCHAEFER, ANDREWS, SMITH, O'PAKE, STOUT, JUBELIRER, SCANLON, ZEMPRELLI, ROMANELLI, DWYER, MELLOW, BODACK and EARLY presented to the Chair **SB 359**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," granting certain credits against the gross receipts tax.

Which was committed to the Committee on Finance.

Senators SCHAEFER, ANDREWS, SMITH, O'PAKE, STOUT, JUBELIRER, SCANLON, ZEMPRELLI, ROMANELLI, DWYER, MELLOW, BODACK, EARLY, LOEPER, ARLENE and ROSS presented to the Chair **SB 360**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for utility service credits for certain persons and prescribing penalties.

Which was committed to the Committee on Consumer Affairs.

Senators ORLANDO, LEWIS, MURRAY, KURY, HOWARD, ARLENE, SCANLON, MESSINGER, McKINNEY, STOUT, SMITH, KELLEY, FUMO, ZEMPRELLI, LYNCH, PECORA, MOORE, STAUFFER, CORMAN and STAPLETON presented to the Chair **SB 361**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, adding provisions relating to the valuation and assessment of real property subject to local taxation, imposing duties on the Department of Community Affairs, requiring certification of chief assessors and assessors, creating an Assessment Review Board, prescribing penalties and making repeals.

Which was committed to the Committee on Local Government.

Senators HAGER, O'CONNELL, KUSSE and CORMAN presented to the Chair **SB 362**, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798, No. 591), entitled "Forest Reserves Municipal Financial Relief Law," increasing the amount of money paid for road benefits.

Which was committed to the Committee on Environmental Resources.

Senators COPPERSMITH, SNYDER, GEKAS and KELLEY presented to the Chair **SB 363**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding a provision on mental disease or defect in regard to culpability.

Which was committed to the Committee on Judiciary.

Senators STOUT, LINCOLN, CORMAN, BELL, LEWIS, BODACK, PECORA, GURZENDA, ORLANDO, KELLEY,

ROMANELLI, JUBELIRER, ROSS, FUMO, COPPERSMITH, SCHAEFER, LYNCH and HANKINS presented to the Chair **SB 364**, entitled:

An Act amending the act of August 31, 1971 (P. L. 398, No. 96), entitled "County Pension Law," further providing credits for military service.

Which was committed to the Committee on Military Affairs and Aeronautics.

Senators STOUT, LINCOLN, ROMANELLI, KELLEY, GURZENDA, LYNCH, BODACK, KURY, SCHAEFER, ORLANDO, COPPERSMITH and EARLY presented to the Chair **SB 365**, entitled:

An Act amending the act of July 1, 1978 (No. 55A), entitled "Motor License Fund Supplement to the General Appropriation Act of 1978," changing the appropriation for the road maintenance programs.

Which was committed to the Committee on Appropriations.

Senators STOUT, BODACK, PECORA, BELL, JUBELIRER, LYNCH, ROMANELLI, HANKINS, EARLY and STAPLETON presented to the Chair **SB 366**, entitled:

An Act amending the act of May 31, 1893 (P. L. 188, No. 138), entitled "Legal Holiday Law," providing for observance of Memorial Day and for transactions occurring on that day.

Which was committed to the Committee on Military Affairs and Aeronautics.

Senator STOUT presented to the Chair **SB 367**, entitled:

An Act ceding control of certain streets to and from the City of Washington.

Which was committed to the Committee on Transportation.

Senators ORLANDO, KURY and HOPPER presented to the Chair **SB 368**, entitled:

An Act amending the act of May 7, 1937 (P. L. 585, No. 150), entitled, as amended, "An act prohibiting the use of the designation of "college" by any institution not conforming to the standards of a college prescribed by the State Board of Education; . . ." providing for the use of the terms "business college," "college of commerce," and "commercial college."

Which was committed to the Committee on Education.

Senators HAGER and REIBMAN presented to the Chair **SB 369**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further authorizing county commissioners to make grants or appropriations to historical societies.

Which was committed to the Committee on Local Government.

Senators STAUFFER, ZEMPRELLI, SMITH, PRICE, O'CONNELL, LOEPER, FUMO, ROSS, PECORA and GREEN-LEAF presented to the Chair **SB 370**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing a limited one-time exclusion from taxation of certain gains made on the sale of a principal residence by a taxpayer.

Which was committed to the Committee on Finance.

Senators ZEMPRELLI, O'PAKE, SCANLON, FUMO, MESSINGER, SCHAEFER and GEKAS presented to the Chair **SB 371**, entitled:

A Supplement to the act of July 9, 1976 (P. L. 586, No. 142), entitled "An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law," adding certain provisions of existing law to and making conforming, redesignation and editorial changes in certain provisions of the Pennsylvania Consolidated Statutes, making revisions, corrections and additions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities, and repealing certain acts and parts of acts supplied by the act as heretofore supplemented and as supplemented hereby.

Which was committed to the Committee on Judiciary.

Senators ZEMPRELLI, O'PAKE, SCANLON, FUMO, MESSINGER, SCHAEFER, ANDREWS and KUSSE presented to the Chair **SB 372**, entitled:

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, by transferring the text of the Uniform Commercial Code to the Consolidated Statutes without change in substance and making conforming amendments to citations in other titles.

Which was committed to the Committee on Business and Commerce.

Senators EARLY, ZEMPRELLI, ROMANELLI, SCANLON, SCHAEFER, LINCOLN, SMITH, STOUT and McKINNEY presented to the Chair **SB 373**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," authorizing the establishment of horse riding trails and show rings in county parks.

Which was committed to the Committee on Local Government.

Senators REIBMAN, PRICE, O'PAKE and DWYER presented to the Chair **SB 374**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for exceptional children and reimbursements for certain special education services.

Which was committed to the Committee on Education.

Senators HAGER, COPPERSMITH, BELL, JUBELIRER, GEKAS, DWYER, ANDREWS, GREENLEAF, LOEPER and PECORA presented to the Chair **SB 375**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 71 (State Government) of the Pennsylvania

Consolidated Statutes, establishing the Court of Criminal Appeals.

Which was committed to the Committee on Judiciary.

Senator KURY. Mr. President, in 1976 the Legislature enacted two major bills dealing with the Public Utility Commission which became Act 215 and Act 216 of that Session.

POINT OF ORDER

Senator HAGER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Lycoming, Senator Hager, will state it.

Senator HAGER. Mr. President, under the business of Bills in Place are comments concerning those bills in order or is it just to be recognized to introduce those bills?

The PRESIDENT. Comments are not in order. The Senator will read in place and present the bill.

The gentleman may present his statement under Petitions and Remonstrances.

Senator KURY. Mr. President, I was only leading up to the bills I was about to introduce. If the gentleman from Lycoming, Senator Hager, wishes to stick to the letter of the law I will just stand in place and introduce two bills.

Senator HAGER. Mr. President, I believe that would be a wonderful idea. Perhaps we could get rid of this entire item of business which just wastes time.

Senator KURY. Mr. President, would the gentleman kindly repeat those remarks?

Senator HAGER. Mr. President, we would be happy to do this under Petitions and Remonstrances. We have suggested to the Majority that we do away with this order of business. It just really takes time to stand up and read in place and present bills to the Chair when all we really have to do is just give them to the Secretary of the Senate, particularly when Members use this as an opportunity to give speeches when that is reserved for Petitions and Remonstrances.

Mr. President, our suggestion is, if the Senate insists upon having this order of business, we then follow the Rule and merely stand and present to the Chair a bill.

Senator KURY. Mr. President, I had no intention of making a speech. All I was trying to do was explain the significance of the bills I was about to introduce. If the gentleman wants to stick to the letter of the law, I will stand in place and introduce two bills. I regret the Senator has taken the kind of action he has.

SENATE RESOLUTIONS

SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE TO REVIEW REGULATIONS OF STATE HEALTH DEPARTMENT RELATING TO NURSING HOMES

Senators DWYER and KUSSE offered the following resolution (Serial No. 24), which was read and referred to the Committee on Local Government:

In the Senate, March 5, 1979.

WHEREAS, The State Department of Health has consistent-

ly refused to renew the license of the Crawford County Home and has also threatened to close the home's intermediate care unit because of noncompliance with certain regulations; and

WHEREAS, The department has forced the county to hire an outside consultant at a cost to taxpayers of \$300 a day; and

WHEREAS, The county home recently underwent extensive renovation costing well over \$1,000,000 and resulting in 95 fewer patients; and

WHEREAS, Various Health Department personnel have stated that the home is providing excellent patient care; and

WHEREAS, Residents and relatives of residents in the home have consistently praised the care offered in the home; and

WHEREAS, Many of the problems cited at the home are quite minor and include such items as dirty windows and peeling paint; and

WHEREAS, The county has made good faith efforts to correct cited deficiencies but every follow up inspection has only resulted in more deficiency citations and additional demands for improvements; and

WHEREAS, Closing of the home would result in no care at all for the residents; therefore be it

RESOLVED, That the Senate Public Health and Welfare Committee review the regulations of the State Health Department as they relate to nursing homes in the Commonwealth to determine their relevance and practicality.

AMENDING SENATE RULE 16, SECTION 1

Senators STOUT, BODACK, PECORA and BELL offered the following resolution (Serial No. 25), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, March 5, 1979.

RESOLVED, That Senate Rule XVI, section 1 be amended to read:

XVI COMMITTEES

1. There shall be the following permanent Standing committees, the Chairmen, the Vice-Chairmen and members thereof to be appointed by the President Pro Tempore as soon as possible after his election in sessions convening in odd-numbered years. The composition of each Standing Committee shall reasonably reflect the party composition of the Senate membership.

1. Rules and Executive Nominations—18 members
2. Finance—10 members
3. Appropriations—20 members
4. Judiciary—18 members
5. Environmental Resources—18 members
6. Agriculture and Rural Affairs—12 members
7. Labor and Industry—10 members
8. State Government—18 members
9. Education—18 members
10. Public Health and Welfare—18 members
11. Transportation—18 members
12. Local Government—10 members
13. Business and Commerce—10 members
14. Insurance—10 members
15. Law and Justice—10 members
16. Aging and Youth—10 members
17. Consumer Affairs—10 members
18. Urban Affairs and Housing—10 members
19. Constitutional Changes and Federal Relations—10 members
20. [Military Affairs and Aeronautics] Military and Veterans Affairs—10 members

21. Professional Licensure—10 members

SPECIAL SENATE COMMITTEE TO INVESTIGATE COMMONWEALTH'S ROAD AND BRIDGE MAINTENANCE PROGRAM

Senators ZEMPRELLI, ARLENE, SMITH, ROSS, BODACK,

O'PAKE, EARLY, STOUT, SCHAEFER, MELLOW, FUMO, SCANLON and LINCOLN offered the following resolution (Serial No. 26), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, March 5, 1979.

WHEREAS, The harsh winters in 1976-77, 1977-78 and 1978-79 have accelerated the deterioration of the Commonwealth's roadways and bridges; and

WHEREAS, A motorist traveling in the Commonwealth can no longer afford to wait until the Pennsylvania Department of Transportation reviews the road maintenance situation because the pothole explosion has reached crisis proportions; and

WHEREAS, Potholes and crumbling roadbeds are threatening the life, safety, welfare and property of our motorists; and

WHEREAS, The second major cause of motor vehicle accidents is the hazardous, substandard conditions of the Commonwealth's roadways and bridges; and

WHEREAS, Figures from the Federal Highway Administration indicate at least 29% of the Commonwealth's bridges are outdated or candidates for collapse; and

WHEREAS, A 35-year-old bridge in Scranton, which had been inspected and declared safe, collapsed one week after its inspection in December 1978, injuring 4 persons; and

WHEREAS, The Senate of Pennsylvania is not willing to allow its multi-billion dollar investment in roads and bridges to deteriorate to the point of irreparable damage; and

WHEREAS, Road rebuilding is four and one-half times as expensive as regular maintenance; and

WHEREAS, The Senate of Pennsylvania in carrying out its responsibility of legislative oversight considers it necessary to investigate the critical situation of both short and long-term highway and bridge maintenance; therefore be it

RESOLVED, That the President pro tempore appoint a special committee on highways and bridges to investigate all aspects of the Commonwealth's road and bridge maintenance program. The committee shall be composed of seven members, five of whom shall be members of the majority party and two of whom shall be members of the minority party. One of the members of the committee shall be designated by the President pro tempore as chairman; and be it further

RESOLVED, That the Senate will appropriate \$25,000,000 to the Pennsylvania Department of Transportation to be used to award contracts through emergency competitive bidding procedures to private contractors to begin immediate, emergency repair, rehabilitation and resurfacing except in cases where the Secretary of Transportation shall certify to the special committee that the department has the manpower and equipment available in sufficient strength to use part of this appropriation efficiently and speedily to repair roads. Where possible unemployed department personnel shall be utilized to perform this task; 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 and recommendations to the Senate as soon as possible.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Senator ZEMPRELLI offered the following resolution, which was read, considered and adopted:

In the Senate, March 5, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 12, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, March 12, 1979.

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

GUESTS OF SENATOR RICHARD A. SNYDER PRESENTED TO SENATE

Senator SNYDER. Mr. President, we have in the gallery County Commissioner Ray Herr of Lancaster who has served, most credibly, in Lancaster County for several terms. I regret he is not seeking reelection.

He is accompanied by John Hooper, the County Administrator, and by Grant Wayne Woodward, the County Administrator of Chester County.

I would appreciate it if the Chair would ask them to rise and give them the Senate's warm welcome.

The PRESIDENT. Would these gentlemen please rise in the gallery and the Senate will give them its normal warm welcome.

(Applause.)

RECESS

Senator ZEMPRELLI. Mr. President, last week, in speaking to the Senate before we concluded, we indicated that the new procedures would allow for a skeleton Session on Monday for work purposes.

Mr. President, at that time I had indicated to the Senate that we would be voting, contrary to that established practice, on House Bill No. 56 due to the emergency of the situation.

Since last week at adjournment time, certain matters have developed with respect to an amendment placed by the gentleman from Crawford, Senator Dwyer, which, in the opinion of some of us, destroyed the intent of the gentleman's amendment and other amendments are to be considered, hopefully today, in order to move House Bill No. 56 without prejudice to the people who are involved by way of appropriation. Very reluctantly, but because of the emergencies of the situation, I request a Democratic caucus at this time for the purpose of considering the amendments to House Bill No. 56 prior to voting on the same and ask that we recess for a period of one-half hour.

Mr. President, I ask that that caucus be held immediately in the Majority caucus room.

The PRESIDENT. Does Senator Hager wish to have a Minority caucus?

Senator HAGER. Yes, Mr. President. As a matter of fact, right now a number of the nominees and designees for Supreme and Superior Court are in the Republican caucus room and I

would ask all Republican Members to come immediately to the caucus room.

The PRESIDENT. The Chair declares a recess for one-half hour. The Democrat Members will caucus immediately as will the Republican Members.

The Senate is in recess.

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION

BILL ON THIRD CONSIDERATION AMENDED

HB 56 (Pr. No. 439) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator ZEMPRELLI, on behalf of Senators SMITH, McKINNEY, KURY, STAPLETON, LINCOLN, SCANLON, ARLENE, ROSS, BODACK, O'PAKE, STOUT, SCHAEFER, FUMO, MELLOW, and himself, by unanimous consent, offered the following amendments:

Amend Sec. 2, page 3, by inserting between lines 28 and 29:

To the Pennsylvania State Police

For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance and fire prevention. No State Police substation shall be closed until the State Police have presented justification and received approval for such action before a public hearing of the Appropriation Committees of the House of Representatives and the Senate.

\$53,028,000

Amend Sec. 2, page 5, line 1, by striking out all of said line and inserting:

CONSTRUCTION ACTIVITIES of the amount appropriated, \$4,200,000 is to be used specifically for costs associated with the safety construction program, and \$300,000 is to be used specifically for costs associated with bridge design.

\$51,356,000

Amend Sec. 2, page 5, line 9, by striking out "9,600,000" and inserting: 354,032,000

Amend Sec. 2, page 5, line 11, by striking out "\$9,600,000" and inserting: \$25,000,000

Amend Sec. 2, page 5, by inserting between lines 15 and 16:

To the Pennsylvania State Police

For transfer to the General

Fund to finance the traffic control and traffic safety facilities program of the Pennsylvania State Police	\$72,542,000
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On the question,

Will the Senate agree to the amendments?

Senator TILGHMAN. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Zemprelli.

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

Senator ZEMPRELLI. I will, Mr. President.

Senator TILGHMAN. Mr. President, maybe I was a little quick to interrupt and maybe the Majority Leader was going to explain the amendments. Would the gentleman kindly tell us what these amendments do?

Senator ZEMPRELLI. Mr. President, I will be very happy to explain the amendments. I believe it is generally agreed that the amendment offered by the gentleman from Crawford, Senator Dwyer, last week to House Bill No. 56, as adopted by the Senate, was defective in that the amendment produced \$9.6 million for pothole repairs. However, by inadvertence, it also took from the budget the sum of \$239 million. Therefore, it becomes obvious that House Bill No. 56 needed to be amended either to delete the gentleman's amendment or to reinstate it in proper form.

In the meantime, Mr. President, the pothole situation has become so catastrophic in certain counties; to name a few, Allegheny, Philadelphia, Luzerne County and Lackawanna County, that it became absolutely obvious that if we were going to satisfy the needs of some people with sufficient funds, we should review the situation, review the gentleman's intent and address the subject with sufficient funds.

As a companion to these amendments we are offering a resolution which is now before the Senate Committee on Rules and Executive Nominations which would establish a committee that would provide for the monitoring of pothole repairs and would also provide for addressing itself to some long-term policy with respect to the repair of bridges in Pennsylvania. That resolution would be instructive to the Secretary of Transportation to use the \$25 million for pothole repairs, or so much of that money as may be necessary for pothole repairs but, in addition, if the work could not be done by in-force personnel from PennDOT, the work could be let and should be let to the private sector, the private contractors within those counties where the Secretary felt the work could not be accomplished immediately by PennDOT forces.

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

Senator ZEMPRELLI. I am not finished, Mr. President.

Senator TILGHMAN. Mr. President, I thought the gentleman had wandered a little from the amendments. Excuse me.

Senator ZEMPRELLI. Mr. President, the amendments are precisely what I am saying, plus more.

PennDOT has recently sent a directive to the various district offices of PennDOT, a memorandum indicating that the pothole situation is not an emergency, is not an unusual situation and should be dealt with in the ordinary course of business by regular bid. Some of us believe differently. That is why there is

the need for these specific special amounts of money that have been reverted by way of lapsed funds without creating an additional need for taxation at this time.

I also contacted the Secretary of Transportation, Dr. Larson, and asked him his view with respect to these amendments and with respect to the resolution. He said he could not agree with it at this time because the pothole program, to quote him, "required a cost study analysis to determine whether or not we are, in fact, using the most effective means of spending this money."

Secondly, he felt that we were mandating him to consider a permanent paving project, that the \$25 million was too much money to, in fact, mandate simply a pothole repair program.

My attitude about that was that I did not think it was too much money because we had received advice that it was, at most, sufficient money to deal with the problem and secondly, and most importantly, the general public is having its vehicles ripped up and its tires and wheels damaged. People are being killed on the highways, which includes five nuns this morning who were injured as a direct result of potholes. I could not wait until there had been a cost analysis study that would result in whether or not this money was being effectively spent or not.

Mr. President, that is a skeleton view as to why these amendments are necessary and as to why the \$25 million are absolutely requisite at this time.

Senator TILGHMAN. Mr. President, if that is a skeleton summation of the amendments just offered, I will be very careful not to ask the Majority Leader another question during this Session of the General Assembly. He wandered a bit from the amendments. He mentioned the fact that the pothole situation in this State is catastrophic. It may well be catastrophic but the public should be much more interested in what is taking place in the Senate here during these last few weeks.

I believe the most catastrophic thing hitting the Commonwealth of Pennsylvania is the fact that the Majority Leader's party is trying to hold the Governor's feet to the fire and spend every single penny available and throw the State into a situation where we may be faced with additional taxes upon the public of Pennsylvania. It is a catastrophic situation when a party in a State adopts that attitude and it is spend, spend, spend.

Mr. President, I urge the Governor's office to blueline many items in this piece of legislation and I urge my colleagues to vote against these amendments for the very simple reason they are unconstitutional. We are not permitted, in this State, to spend more funds than we have on hand. At 4:48, a little less than half an hour ago, I came out to use this telephone over here. I telephoned the Governor's budget office. The amount of lapsed funds in February is \$1,523,000. If we pass this piece of legislation we will have spent—and the public better realize this—\$2,753,000 more than we have. We do not have that in the cash drawer. The constituents, the eleven million people in Pennsylvania, should come up here and kick us if we pass this type of legislation. We will spend \$2.7 million; there is lapsed in February, \$1.5 million, so the \$2.7 will amount to a deficit of \$1.2 million. Ah, we say, "\$1.2 million falls through the cracks." I wish it would fall through the cracks of the roof in my house into my bankroll and I am sure the public thinks that.

Mr. President, I believe my colleagues on the other side of the aisle, and the Majority Leader, must answer to the public. How can they spend more money than we have?—And I am talking figures of twenty-five minutes ago. I hope the public wakes up to the fact that they are sitting on that side of the aisle, loading this piece of legislation, this appropriation bill, with every little thing they can think of to spend every dollar and, indeed, put the State in debt. They should be ashamed of themselves and I urge everybody to turn down these inappropriate, catastrophic amendments.

Senator FUMO. Mr. President, I wish to thank the gentleman from Montgomery, Senator Tilghman, for not being political on the floor. However, I would like to address myself to his comments.

Mr. President, it is not a question of spending of money, it is a question of priorities in spending money. The situation we have today, when people are driving down the road hitting potholes, each one of them costing \$50 per hubcap, \$25 to \$50 for a rim or alignment, damage to chassis—now we have people actually getting seriously injured—it is a question of priorities. It is a disaster. It is similar to the hurricane problem with Agnes. Did we sit around and wait for studies? We moved in rapidly and solved the problem because people were being hurt. That is what the problem is here today. It is not how much money we spend but it is how we spend it.

I do not wish to become political but if we are going to be that way, if the other side of the aisle does not want to fix the potholes in this Commonwealth, fine. Let the record indicate that. I suggest to the gentleman from Montgomery, Senator Tilghman, and others that when someone hits a pothole in their district I hope they call them up and thank them for not fixing that pothole. That is what this is about.

Senator MANBECK. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Fumo.

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

Senator FUMO. I will, Mr. President.

Senator MANBECK. Mr. President, I am not a politician and I do not play politics. I am a farmer.

Senator FUMO. I am not either, Mr. President.

Senator MANBECK. Did I not hear the gentleman say last week, Mr. President, that we do not want to work with band-aids?

Senator FUMO. That is correct, Mr. President.

Senator MANBECK. Mr. President, can the gentleman tell me whether the State of Pennsylvania is losing Federal funds because they do not have matching funds?

Senator FUMO. Mr. President, they do not have funds for what?

Senator MANBECK. Mr. President, to match the Federal funds located in the Highway Trust Fund?

Senator FUMO. Mr. President, I believe that question would be better answered by the Majority Leader or the Chairman of the Committee on Transportation. I do not want to give an answer. I would ask the gentleman if he would accept an answer from the Majority Leader on that issue?

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

Mr. President, I will be pleased to listen to the explanation by the Honorable gentleman from Allegheny, Senator Zemprelli.

Senator ZEMPRELLI. Mr. President, it is my understanding that, in the budget to come, there is a present situation which may involve the loss of \$144 million unless the Motor License Fund is beefed up sufficiently to that figure which would allow us to match those funds.

As I understand it, that is a progressive matter down the road, maybe two years, the potential of loss could go as high as \$444 million or something very close to that.

The difference in what the gentleman is suggesting and what is actually happening is that there are no additional tax revenues being produced by the \$25 million, that contrary to what the gentleman from Montgomery, Senator Tilghman, has said, we do not believe, and I do think, that the Governor's budget message of Wednesday will, in fact, show the kinds of lapses the gentleman has indicated of \$1.2 million, that figure will be much more substantial than that.

I would also say it is significant that the gentleman from Montgomery, Senator Tilghman, at this time would concern himself about \$1 million or \$2.7 million when he did, in fact, vote "yes" for the Dwyer amendment which included \$9.6 million.

The point I make, Mr. President, and the point the Governor has recognized, and the point which I believe everybody in this Chamber understands, is that there will have to be an additional tax of some kind—whatever form it may be—to beef up the Motor License Fund, to match the moneys necessary to produce the Federal funds. This will neither make nor break the situation anymore than any other expenditure or appropriation.

Senator MANBECK. Mr. President, I have not suggested anything. I asked the question as to what funds were available for matching the Federal funds that would be available.

I can well remember, about a month ago, every newspaper in the State of Pennsylvania was running editorials saying that the State of Pennsylvania Department of Highways is in a horrendous condition and we are losing millions and millions of dollars because we do not have funds to match the Federal funds available. What I do not understand about the financing is that, all of a sudden, we find \$25 million or more and we are putting it into potholes when we should use it for the matching of the Federal funds, so that we can get those funds working in the State of Pennsylvania and then vote for that tax of which the gentleman spoke. Then get the potholes fixed.

Senator ZEMPRELLI. Mr. President, the gentleman and I do not disagree. The only thing is, I believe the emergency exists with the potholes now; the matching funds for highway purposes is a second step. It is a question of priority. I do not think we can close our eyes to the danger problem which exists and all the ramifications as to the present conditions of the roads. They are of an emergency nature and they are catastrophic in nature.

Senator O'CONNELL. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Zemprelli.

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

Senator ZEMPRELLI. I will, Mr. President.

Senator O'CONNELL. Mr. President, can the gentleman tell me how this money will be allocated as it pertains to the respective counties?

Senator ZEMPRELLI. Mr. President, the way the amendments are prescribed, and I am sure Members of the gentleman's caucus will tell him who are very astute in this subject matter, the amendments being considered and adopted is without the force of law. The matter is precisely an administrative consideration and the decision, ultimately, as to the distribution and as to the certification of those counties that are able to do the job with in-force personnel and equipment and those who cannot and should be left to special contract are within the discretion of the Secretary of Transportation and that Department.

Mr. President, I am sure the gentleman and others of my colleagues who have some concern should be able to sit with the gentleman and work out a feasible program. Our concern is that the potholes of Pennsylvania be fixed and fixed immediately.

Senator O'CONNELL. Mr. President, that was not a very definitive answer. Actually, then, there can be no concrete figures established as to how this money will be allocated county by county? It will be up to the discretion of the Secretary of Transportation or someone in the Department.

Senator ZEMPRELLI. Mr. President, it is my judgment that the Secretary of Transportation who should be equally attuned to the gentleman's wishes as mine, will be the party who will address himself to the problem and make those distributions and decisions in accordance with the problems.

Senator O'CONNELL. I thank the gentleman, Mr. President.

Am I permitted to make some comments, Mr. President?

The PRESIDENT. The gentleman has the floor.

Senator O'CONNELL. Mr. President, I have a few observations and one is that the fiscal officer in the Department of Transportation should be done away with with dispatch because, as I recall, this past year certain things have taken place—and I question the credibility of the figures they have developed.

Last spring there was a \$10 million pothole allocation on an emergency basis. Sometime during the waning days of last year—in November—there was another reallocation of about \$5 million. Constantly and consistently that Department has hidden from this Legislature and hidden from others, the actual fund balances which have been available for disposition. That troubles me no end.

Just recently, though I voted for it, the gentleman from Crawford, Senator Dwyer, was able to come up with \$9 million more that Department had stashed away. I do not really know how a Department such as that, which is in a financial bind, can, over a period of six or seven months, come up with \$25 million. To me that is a very troubling situation.

I believe up until such time as the credibility and the accountability of that Department is a little more certain and more determined, we should not continue to pump this kind of money into—I would not call it pothole, I would be almost be willing to call it "rat hole" because the money has not been spent properly and has not gone for pothole repair.

I happen to agree with the Secretary of Transportation that there are other considerations and to go about putting money into that kind of a situation without reconstructing some of the edges, some of the berm and doing some drainage work is an absolute waste of money and sending good money after bad. We certainly had that situation existing long enough.

Finally, it is my judgment that the way this whole thing is handled, using the State Police and turning the revenues around in that direction, is fiscal fakery. I believe the people in the Commonwealth are fed up with the shenanigans and what they want is a head-on approach to it. They want the problem solved. They do not want further delay. It was indicated last week that this was a band-aid approach. I would like to know what this approach is if it is to be continued. I really believe it is a tourniquet around somebody's neck or throat.

Mr. President, if we continue to do this, it is going to impact adversely upon the bond situation in Pennsylvania and that is distressed as it is. It will further compound the deficit. The deficit now is down to an estimated \$20 million, \$30 million or \$40 million. It is substantially reduced over its projection. Keep this up and we will have the deficit and, if that is the intent, then I am opposed.

I am going to oppose these amendments, but I am certainly willing and have been willing to vote for a gas tax. I have been willing to vote for a gas tax since last February. I will not go this route any longer. I want to see something specific presented to this Legislature and to this Senate so that we can act on it responsibly and not continue to throw the taxpayers' money down the drain.

Senator ZEMPRELLI. Mr. President, it just simply astounds me how the only difference in the rationale used by the gentleman last week and perhaps, maybe, this week is the difference between \$9.6 million and \$25 million and I fail to observe the rationale for the difference.

Senator STAUFFER. Mr. President, I agree that one of the most pressing problems we have in Pennsylvania today is the pothole problem and the break-up of our highways. I want to do all I can to see that every dollar possible is allocated to meet this severe problem.

I believe the big issue is just how many dollars are available. It is quite obvious that the fiscal picture of the Commonwealth does change to some degree every day. For that reason, I will support these amendments because I want to offer as much help to this highway problem as possible but, at the same time that I support these amendments, I call upon Governor Thornburgh to very carefully analyze the situation when this bill gets to his desk and to make the determination of how much money is available. If the money is available, sign the bill; if only part of the money is available, blueline out that part that is not available; if none of it is available, blueline the whole thing. The important thing is that we try to do all we can but, at the same time, recognize that there is a fiscal limitation and we call upon the Governor to help us in seeing that we do not go beyond that fiscal limitation.

Senator TILGHMAN. Mr. President, in reply to some of the remarks made in this discussion, I believe the Majority Leader just stated—and I copied it down as fast as I could, we will have

to see what the record said—in reply to the gentleman from Luzerne, Senator O'Connell, "I fail to see the difference between \$9 million and \$25 million." If that is true, God help us. The difference is substantial. Maybe this is one of the slips of tongue which occurred a little while ago when Monday was going to be a nonworking day. I do not know. But I see the difference and the difference in my vote on Senator Dwyer's amendment is in considerable millions of dollars. The difference is that what is being done today by the Majority in the Senate is to put the State in debt. I do not believe it is constitutional, but I do not wish to get into that. They are now spending \$1.25 million more than they have. Mr. President, that is the difference between \$9 million and \$25 million. There is a difference, so help me. The public believes there is a difference.

Senator ZEMPRELLI. Normally, Mr. President, I would let the matter rest on that note, however, I wish to assure the gentleman from Montgomery, Senator Tilghman, that he not only took my remarks out of context but he also totally misunderstood them. The argument that I was making, to the argument made by the gentleman from Luzerne, Senator O'Connell, as to being irresponsible in this issue and all the directions of the financial department of the Department of Transportation, had no relevancy whether they applied to \$9.6 million or \$25 million. They were birds of the same feather and we are either for them or against them, regardless of the expenditure, I, in no way, wanted to leave the impression that I was not concerned about the amount of money involved. The gentleman misses the point of the argument entirely.

Mr. President, may we have a roll call vote on these amendments as being the roll call vote for the day?

Senator O'CONNELL. Mr. President, I believe I got the point and my rationale for supporting the Dwyer amendment and perhaps opposing these amendments is the origin of the money. The money for the Dwyer amendment was highway tax money and properly appropriated for that purpose. This money is a diversion of General Fund money to the tune of \$11 million and that gives me some concern and it is done in a way that people would have a difficult time understanding.

Senator HAGER. Mr. President, I yield to the gentleman from Dauphin, Senator Gekas.

Senator GEKAS. Mr. President, I too believe that the Governor is, at this moment, struggling day-by-day, moment-by-moment, practically, to try to present to this Commonwealth a lean and proper budget for the Commonwealth of Pennsylvania.

The work of the Senate in trying to accomplish this maneuver is to sabotage that carefully planned budget on the part of the Governor. For every dollar we take away from moneys the Governor is counting on, like lapses, is throwing out of kilter that budget which we so, hopefully, will be learning about on Wednesday, will be a no new tax balanced budget. It is for this reason, if none other, that we should be voting "no" on these amendments.

This is a question of one-upmanship on the part of those who liked the Dwyer amendment because it addressed a start-up program for the potholes and now, because the issue is at hand, because much can be made of this, we want to go one up on the

Dwyer amendment. Let us be fiscally sound by allowing the Dwyer amendment to go into effect for the start-up on the potholes and then let us wait until Wednesday to see what the Governor has proposed for a permanent solution for the General Fund and for the potholes and the highway construction. Let us be responsible.

Senator HAGER. Mr. President, there are so many things I would like to say about this matter. I guess mostly I would like to speak about the complete change of heart most persons, who have spoken on the Democrat side, have had in less than a week's time. I guess there is some truth to that old song about "What a difference a day makes," because I have some of the comments here from last Tuesday.

I guess some of my colleagues are looking backward. The gentleman from Philadelphia, Senator Smith, pointed out that in the Democrat Administration they had appropriated \$10 million to fill potholes but nothing had gotten done and that the people of Pennsylvania probably would not be able to expect—because if we turn around now and appropriate \$9 million for potholes—that we would do anything, thereby figuring that the sins of one Administration are visited upon the next.

The gentleman from Philadelphia, Senator Fumo: My, my what a difference in his comments today and last week. He says there is an emergency, we must move in rapidly and if the other side does not want to fix potholes, fine. That is what he said today. Last week, and I quote, "However, I must echo the sentiment of the gentleman from Philadelphia, Senator Smith, and the fact that to give this kind of miniscule money for this program is really attempting to con the public. They are going to say, 'Gee, the Senate acted and gave money to fix potholes' and a year from now we are still going to be hitting the same holes in the same place." Going on, he said, "Does anybody really believe that \$9 million or \$10 million or \$14 million will solve the issue when we know it will take twenty times that?"

Somehow, from last week to this, if it will take twenty times that, we have gone through some strange kind of Philadelphia mathematics, I guess. Now the gentleman is going to solve the problem for \$25 million; this great emergency we have. Well, I believe he is right. He did go on to say that our constituents will not care how we did it but if those potholes are still there, they will still be angry. They will not be concerned that we voted for a little bit of money to try to solve the problem.

He went on, Mr. President, and asked for a "no" vote on those amendments and asked further that we really begin to consider this thing in a proper, responsible and courageous method so we can get to the heart of the issue. I assume that, somehow, for \$14 million we have not solved the gentleman's problem although he has apparently figured out a way.

Then, as to the gentleman from Allegheny, Senator Zemprelli, himself: The Majority Leader has seen the light in a week's time—less than a week, six days. There must have been something very good about the Dwyer amendment to want to trump the gentleman's ace. The only problem is, if we get set, it is the people of Pennsylvania who pay, not the Majority Leader, and if it turns out that we do not have the money, which it appears in the figures, in fact, we do not, as given by the Minority Chairman of the Committee on Appropriations.

The Majority Leader will remember we were all present for a briefing when the best estimate, a few weeks ago, was that we may be \$40 million in deficit this year in what was supposed to be a balanced budget. It was one of the usual balanced budgets of the last Administration. Now, the hope is that we may have that down to \$10 million or \$15 million or, perhaps \$20 million but we want to go ahead and spend \$25 million. The difference, which the gentleman from Allegheny, Senator Zemprelli, fails to observe—the rationale for the difference between \$9.6 million and \$25 million—is that we had the money. It is there for the Dwyer amendment but the cold facts are that the dollars are not there, and it is illegal for this Senate to appropriate money which is not there as of the time it is appropriated. As of the end of the month of February, the gentleman's amendments would put this Commonwealth in deficit—cold clear deficit—right now by over \$1 million. The law is the difference. The law is that that difference is the rationale. That has not been perceived on the other side.

The Majority Leader who now is saying it is absolutely essential that these potholes must be fixed and fixed immediately, was saying last week that it cannot be done for this kind of money. He was saying it is, at most, miniscule to the problem. Nobody in this Chamber would begin to believe that \$14.5 million would resolve the pothole problem in Pennsylvania because, as anyone here in this Chamber can articulate, it is a situation that is uniform throughout the Commonwealth and every one of us has the problem.

Are we suggesting to the people of Pennsylvania that we have a formidable solution to a problem when first we must recognize it is impossible for in-force forces, whether they be Republicans, Democrats or Communists, to adequately deal with the problem in time for people to believe that we have done something.

Something has happened in six days. I do not know exactly what it is although I have a suspicion when I see the Democrats offer these amendments and at the same time offer a resolution which they call a bipartisan resolution to help PennDOT know where to spend this money—five Democrats and two Republicans, a bipartisan committee. They will take \$25 million and make sure it is spent in Democrat Districts is what will be done. My, my Mr. President, what a bipartisan committee.

Mr. President, I would say that this is probably not proper to the discussion but the Majority Leader brought it up himself. They will provide Democrat votes, provide \$25 million and also will have a resolution for a bipartisan committee to tell PennDOT how to spend that money and where to spend it—five Democrats and two Republicans.

Mr. President, I wish there were some way I could come down on this and suggest that we do not vote for these amendments. I listened to figures going back and forth, here, there and the other place, and there are some of my Members who feel they want to vote against them. I guess I come down with the gentleman from Chester, Senator Stauffer, to say that I do not know whether this money is there or not. I know we must do something to get started on potholes. I believe there is a lot of fiscal fakery in what is being done. I cannot understand how the other side has seen the light between last week and this. If we

were wrong in giving \$9 million, how is the Majority so much further right by giving \$25 million?

Mr. President, I will say to the Governor, "I know you are anxious to get this bill. I know there are people who need to be paid as of tomorrow." So I am going to suggest to the Governor that we will send it to him and, if he believes it is necessary, use the blue pencil.

Senator MELLOW. Mr. President, I really had no intentions of taking the floor this afternoon although I will vote in favor of the amendments. I can only reflect back on what took place here in the Body of 1977 and the first part of 1978, when we dealt with a very bad fiscal problem here in the Senate.

There were a number of us at that particular time who were trying to articulate on this floor just exactly what the feelings of our constituency may have been with regard to taxes and with regard to inflation and with regard to trying to hold the line on budgets.

As I listened with great intent to the gentleman from Montgomery, Senator Tilghman, I could not help recalling the day we voted on this floor for increased school subsidies, knowing full well that the money was not there to pay for those increased school subsidies. A number of the Members on the other side of the aisle voted in favor of them, knowing that the money was not there to pay for them.

For quite some time I listened to the gentleman from Lycoming, Senator Hager, and I kind of believe that the best interest he had in his mind and in his heart was the taxpayer of Pennsylvania. Just exactly how would this money come from the taxpayer of Pennsylvania; how would we come up with an additional \$25 million so as not to put Governor Thornburgh in a deficit position? How could we come up with this \$25 million? I kind of believed for the moment that he was sincere until he made the statement that we are going to go ahead and we are going to authorize expenditure of the \$25 million. We are going to go ahead and select a bipartisan committee composed of five Democrats and two Republicans to fill potholes in Democratic Districts.

I submit this to the Members of this Legislature: Is that what is in the best interest in the heart of the distinguished Majority Leader? I thought as he was articulating his position that he was interested in the financial and fiscal responsibility of how we should spend our money and not necessarily where the potholes may be because, Mr. President, it does not really matter when we drive down the road, whether we are Democrats or Republicans. When we hit those potholes, it hurts.

Senator HAGER. Mr. President, I suppose the main point was missed. Let me try once more. The main point, Mr. President, is that last week the resolution was offered from moneys which are there, according to this Administration and according to everybody's figures, to get a start on saving Federal funds and do something immediately about potholes.

Last week I heard the rhetoric of the gentleman from Philadelphia, Senator Fumo, the gentleman from Philadelphia, Senator Smith, and the gentleman from Allegheny, Senator Zemprelli, against it although the gentleman from Allegheny, Senator Zemprelli, voted for it because it was a band-aid approach. It was conning the public to quote the distinguished

Senator from Philadelphia.

This week their tune has changed. However, it is interesting to me that as they change their tune, they also introduce a companion resolution which they call bipartisan, as the resolution is printed, to be composed of five Democrat Members and two Republicans, to tell PennDOT how to spend the money. That is the thrust of my argument; that is the thrust of my entire remarks.

Mr. President, I am thankful for the opportunity to restate it.

Senator FUMO. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Hager.

The PRESIDENT. Will the gentleman from Lycoming, Senator Hager, permit himself to be interrogated?

Senator HAGER. I will, Mr. President.

Senator FUMO. Mr. President, can the gentleman tell me what percentage of the potholes would be fixed with the \$9.6 million which this Body voted last week?

Senator HAGER. Mr. President, I do not know the answer to that, but a little less than half the potholes which would be fixed under the present amendments.

Senator FUMO. Mr. President, would the gentleman allow my mathematical calculations to state that under the \$9.6 million less than twenty per cent would be fixed. Would that be correct?

Senator HAGER. Mr. President, I am sorry. Would the gentleman repeat his question. I was being counseled by the Minority Whip.

Senator FUMO. Mr. President, I believe the gentleman should listen to his advice at times.

Mr. President, the gentleman stated that \$25 million would fix little more than half the potholes. I just asked if using the gentleman's calculations, it would be all right for me to assume that the \$9.6 million would fix approximately twenty per cent of the potholes. Is that correct?

Senator HAGER. Mr. President, I am sorry. Either I did not articulate clearly or the gentleman did not listen well. I suppose the way the gentleman's question was phrased, the answer was that the \$9 million would fix a little bit less than half of the amount which will now be fixed by these amendments.

Senator FUMO. Mr. President, I did not understand his answer. I suppose it was because he did not articulate it properly; however, I would not charge him with that.

Mr. President, I have heard the gentleman's rhetoric and his lack of understanding of my change in position, but I just want to defend that. I do not feel my change in position is that radical. I merely stated that I did not want to con the public into believing that \$9.6 million was going to solve this problem.

Now the issue has become, where are we going to fix the potholes? I will be the first to allow the gentleman; I will wait until last in my District. I believe this will do all of them. If we are concerned about Republican and Democratic Districts fixing potholes, I travel through many Republican Districts when I drive. I would be very happy if those potholes were fixed. I do not think that is the issue.

The reason for my change in position is because, as I stated last week, I would vote for a responsible position. I feel that this is a responsible position and not a con job.

I also want to remind the gentleman from Lycoming, Senator Hager, about a debate we had on wiretapping when he told me it was impossible in the State of Pennsylvania for someone to break and enter to plant a wiretap until the following week when I brought in the Dahlia case and he found out that it was.

I also want to commend the gentleman because this is the first time I met a man who never made a mistake.

Senator HAGER. Mr. President, again I would simply like to point out that the record indicates that last week the gentleman from Philadelphia, Senator Fumo, felt it would cost twenty times \$14 million — that would make \$280 million — to solve the pothole problem. He now says that \$25 million will do it. That is fantastic Philadelphia mathematics.

Senator FUMO. Mr. President, I would like to respond to that. I am a lot better prepared than I was last week, as I am sure the gentleman is. I feel that the \$25 million will do it and the gentleman must agree with me that \$9.6 million will not. That was a con job.

Senator BELL. Mr. President, as the only official politician in here, as so ruled by the Chair, I would like to suggest that it is the same old crews we still have which we inherited from the last Administration. There are no Republican or Democratic counties, they are all Democratic pothole crewed counties.

Senator LINCOLN. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Hager.

The PRESIDENT. Will the gentleman from Lycoming, Senator Hager, permit himself to be interrogated?

Senator HAGER. I will, Mr. President.

Senator LINCOLN. Mr. President, I am somewhat confused after listening to the gentleman speak during the past half hour. What is the gentleman suggesting to the Members of the Senate? Should we vote for or against these amendments?

Senator HAGER. Mr. President, I am not suggesting anything to the Members of the Senate on these amendments. As I stated, we debated this matter in caucus and we have come down on both sides of it. For myself, I will vote for the amendments.

That is exactly what I stated a few moments ago. Apparently the Members do not listen to me.

I stated I will vote for the amendments with the full hope that Governor Thornburgh would veto, would blueline that portion of the bill which is in excess of actually available revenues. That is exactly what I stated.

Senator LINCOLN. Mr. President, does the gentleman mean that, after having listened to him for forty-five minutes telling us why this will not work, he is going to vote "yes?" That really surprised me.

Senator HAGER. Mr. President, that is precisely what I did not say. I said that it was an exciting thing to me — I will change my adjective — to see how rapidly a point of view could change. I quoted three Senators, the gentleman from Philadelphia, Senator Smith, the gentleman from Philadelphia, Senator Fumo, and the gentleman from Allegheny, Senator Zemprelli, all of whom spoke against this, saying that it could not possibly get the job done. Today two of those gentlemen are present and saying what a wonderful plan it is to spend a few more million and have all the problems solved in this State. It was that to

which I addressed myself, together with the companion resolution, to the so-called bipartisan resolution, composed of five Democrats and two Republicans who are going to tell PennDOT how to solve all these problems. It is that to which I addressed my remarks. It has not a thing to say about whether or not fixing potholes is a good idea.

Senator LINCOLN. Mr. President, I am a little disappointed. I thought perhaps the Minority Leader was going to ask everyone to vote "no." It would have been consistent with what I have seen in my seven years in the General Assembly. I have seen the Republicans vote against a \$25,000 amendment for blind veterans one time.

POINT OF ORDER

Senator HAGER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Lycoming, Senator Hager, will state it.

Senator HAGER. Mr. President, is this properly part of the debate? Is it germane?

The PRESIDENT. Senator, Senator Lincoln has the floor.

Senator LINCOLN. Mr. President, it is rather amusing. In my first Session in the House of Representatives I saw them vote thirty times one night against everything. I believe it would have been appropriate just now to put the icing on the cake and tell the many people in Pennsylvania who do not care whether we are Republicans or Democrats that we are not going to appropriate \$25 million to help fix some of the holes in the roads. No matter how they got there, they are there and they will not be fixed until there is enough money appropriated. \$25 million is a step in the right direction and I would hope that if the gentleman from Lycoming, Senator Hager, feels that strongly about it, he would vote "no."

Senator ORLANDO. Mr. President, I am not standing here wishing to interrogate anybody. Maybe that is unusual.

First of all, I don't care where this money comes from as long as we get the money; whether it is \$9 million which I voted for last week or \$10 million which I voted for a year ago, we in northwestern Pennsylvania see so little of this money that when the figure of \$25 million appears, we are going to grab at the opportunity, hoping that, perhaps, a little bit more will come into Erie County, Crawford County, Warren County and a few other counties in northwestern Pennsylvania.

As far as being a Democratic District, the City of Erie is Democratic, but the County of Erie happens to be Republican and that is where most of our damaged interstate highway system and other highway systems are in Erie County. I would like to see those roads repaired. I do not care what part of the city or county these roads go through, I must travel on them coming to Harrisburg and I must go back over these same roads.

I do not know how many of the Members have traveled over Interstate 80, particularly the western part of Interstate 80, Interstate 79 or the eastern portion of Interstate 90, which is noted nationally by the Truckers Association as the worst stretch of interstate highway in the whole interstate system. This is what I am concerned about.

Two weeks ago I had not been on Interstate 80 more than ten minutes, near the Clearfield Exit, when there was a mass chain-

reaction accident which involved fifteen trucks and about three cars. Fortunately, there were no fatalities. However, if you travel the western part of Interstate 80 particularly, there is not one day that goes by that as one is driving, a truck ahead tries to avoid a pothole. He might be overloaded or top-heavy and the next thing you know he is over in the medial strip or overturned on the righthand side of the road.

Mr. President, I am not interested in querying anybody. All I want is a little bit of this money to come to my District to fix my potholes.

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

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

YEAS—44

Andrews,	Hager,	Lincoln,	Pecora,
Arlene,	Hankins,	Loeper,	Reibman,
Bell,	Hess,	Lynch,	Romanelli,
Bodack,	Holl,	Manbeck,	Ross,
Coppersmith,	Hopper,	McKinney,	Scanlon,
Corman,	Howard,	Mellow,	Schaefer,
Dwyer,	Jubelirer,	Messinger,	Smith,
Early,	Kelley,	Moore,	Stapleton,
Fumo,	Kury,	Murray,	Stauffer,
Greenleaf,	Kusse,	O'Pake,	Stout,
Gurzenda,	Lewis,	Orlando,	Zemprelli,

NAYS—5

Gekas,	Price,	Snyder,	Tilghman,
O'Connell,			

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

On the question,

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

CONSIDERATION OF HB 56

Senator ZEMPRELLI. Mr. President, at this time I ask unanimous consent for the purpose of considering House Bill No. 56, Printer's No. 440 on final reading.

The PRESIDENT. The Chair hears no objection.

POINT OF ORDER

Senator KELLEY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Westmoreland, Senator Kelley, will state it.

Senator KELLEY. Mr. President, I am reserving the right to object if, in asking unanimous consent, the gentleman will also agree to change the language as amended on Third Consideration in the Senate on February 27, 1979, should read as amended in the Senate on March 5, 1979.

POINT OF INFORMATION

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

The PRESIDENT. The gentleman from Lycoming, Senator Hager, will state it.

Senator HAGER. Mr. President, what did the gentleman say?

The PRESIDENT. Senator Kelley, will you please restate that?

Senator KELLEY. Mr. President, with the reservation of the right to object to unanimous consideration of House Bill No. 56, Printer's No. 440, I am asking if the gentleman will also include in his unanimous request that the phrase at the top of the bill which reads as amended on Third Consideration in the Senate, February 27, 1979, shall, under unanimous consent, be amended to read, in the Senate, March 5, 1979.

The PRESIDENT. It will be so corrected, Senator.

Senator ZEMPRELLI. Mr. President, I have no objection to it being so amended. Do I understand that the gentleman is going to withdraw any objection to its consideration, based on that action?

The PRESIDENT. It was a request, Senator.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 56 (Pr. No. 440) — 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 TILGHMAN. Mr. President, I will vote in favor of the bill because one of the most critical features in the bill is the salary payments to the sixty-seven county administration offices of the Department of Public Welfare. All the other appropriations in the bill could wait one time or another, but the salary payments are critical. I will vote for the bill with the hope and expectation that the Governor will blueline many sections of this bill which forces the Commonwealth into debt for the first time.

Senator STAUFFER. Mr. President, I would like to add a word to the comments of the gentleman from Montgomery, Senator Tilghman.

In the course of its travel through the Senate, House Bill No. 56 has been amended in a number of ways. I feel many of us believe that, although there are some good amendments placed in the bill, there were some of very questionable value and questionable propriety.

On that basis, Mr. President, I would reiterate that my vote in support of House Bill No. 56 does not mean that I support everything in the bill. I would hope that Governor Thornburgh will take his blue pen in hand and will study this legislation very carefully, not only considering the fiscal impact which was referred to by the gentleman from Montgomery, Senator Tilghman, but also considering the propriety of some of the items which have been put in the bill. I hope he will use good judgment and reduce this bill to a form which would be fully acceptable to all of us.

Senator KELLEY. Mr. President, I believe we should all learn a lesson. I hear the gentleman from Chester, Senator Stauffer,

and the gentleman from Montgomery, Senator Tilghman, set forth the reasons they are opposed to certain sections of the bill, but they will vote for it because of a dominant section or sections in need.

I would like to remind my colleagues that it is that very provision of the Constitution, which I raised on this matter last week, that by our allowing the procedures to be violated in spirit of the Constitution, if not the letter, as this bill, it is still, in my judgment, to the contrary, the voice of this Body notwithstanding.

Mr. President, I would like to believe that this should be used as a refreshment and recommitment now that, in the future, this will not happen. I, too, join—I have great reluctance with many sections of the bill and, because of that this is representative of the perfect type of log rolling and preparations one can imagine.

Therefore, I hope, in the future, we will not be violating the Constitution.

Senator FUMO. Mr. President, I would like to clarify some issues which have been raised about why we are voting for this bill. I am voting the the entire package and I would hope that, when the Governor takes out his blue pen, he does not blueline his additional appropriation for his staff. I support that as well as the welfare problems and everything else in the bill. I know that some of the Senators on the other side of the aisle would agree with that also.

Senator TILGHMAN. Mr. President, that uncalled-for remark cannot go unanswered. There is appropriated to the Governor's Office \$460,000 for expenses. As of the time the previous Governor left office, there was \$12,000 left there. If the gentleman wishes to come to my office, I will show him vouchers spent by the Governor between his defeat and December 31st which beg description. I do not intend to get into the specific figures on the floor, but there were many Christmas parties between defeat and exit from office. If the gentleman would come to my office, I will show them to him. \$460,000 was appropriated for twelve months; \$448,000 was spent in six months. Lots of luck.

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—49

Andrews,	Hankins,	Lynch,	Reibman,
Arlene,	Hess,	Manbeck,	Romanelli,
Bell,	Holl,	McKinney,	Ross,
Bodack,	Hopper,	Mellow,	Scanlon,
Coppersmith,	Howard,	Messinger,	Schaefer,
Corman,	Jubelirer,	Moore,	Smith,
Dwyer,	Kelley,	Murray,	Snyder,
Early,	Kury,	O'Connell,	Stapleton,
Fumo,	Kusse,	O'Pake,	Stauffer,
Gekas,	Lewis,	Orlando,	Stout,
Greenleaf,	Lincoln,	Pecora,	Tilghman,
Gurzenda,	Loeper,	Price,	Zemprelli,
Hager,			

NAYS—0

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

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

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 11, 95, 140, 181, 185, 189, 190, 208, 223, 224, 225, 274 and 297 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

ANNOUNCEMENTS BY THE MAJORITY AND MINORITY LEADERS

Senator ZEMPRELLI. Mr. President, normally it would be our procedure to request a Democratic caucus at this time, but it is obvious that the hour is past. However, the item of business to be concluded today is a meeting of the Committee on Rules and Executive Nominations in which certain executive nominations will be considered. I would ask that the desk remain open to receive a report of that committee.

However, there will be a need for an important Democratic caucus tomorrow morning at precisely 11:00 o'clock. Therefore, I am asking each Member of the Democratic caucus to be in the caucus room tomorrow morning at 11:00 o'clock to discuss the Calendar and other matters.

Senator HAGER. Mr. President, may I suggest the same thing for the Republican Members. I had asked them to come to caucus this evening, but it is late. If they could come to caucus tomorrow morning at 11:00 o'clock, I hope we will be able to accomplish all our business before being called to the floor.

I would remind those Members who are about to leave the floor that it is my understanding that as soon as the meeting of the Committee on Rules and Executive Nominations is completed, the nomination of Dr. MacLeod will be run. Is that correct?

Senator ZEMPRELLI. Mr. President, I do not know if enough Senators will stay to run Dr. MacLeod. I would hope that we would move the nomination of Dr. MacLeod. If he is not to be considered today because of the absence of Senators, we will vote him the first thing tomorrow. I understand that the nomination is not without controversy.

Senator HAGER. Mr. President, would the Majority Leader kindly inform those of us who are loyal troops which of those two courses he intends to follow?

Senator ZEMPRELLI. Mr. President, let me defer to the advice of others who have a keener interest in the subject matter than I. I would prefer to run the vote tonight.

Senator COPPERSMITH. Mr. President, I would prefer that we consider the nomination tonight. The Members who are in their offices could come back to the floor and we could see if enough Members are here. Otherwise, we could run the nomination tomorrow, but I think there are enough votes on the floor to confirm the gentleman tonight.

RECESS

Senator ZEMPRELLI. Mr. President, at this time I would request an immediate meeting of the Committee on Rules and Executive Nominations with the understanding that we will report back forthwith and ask that we go into Executive Nominations. I would ask all Senators to return to the floor for that purpose.

The PRESIDENT. Is the Senator requesting a recess?

Senator ZEMPRELLI. Mr. President, I would request a recess for an immediate meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. The Chair declares a recess for a brief meeting of the Committee on Rules and Executive Nominations.

The Senate will stand in recess.

AFTER RECESS

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

UNFINISHED BUSINESS

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

SECRETARY OF HEALTH

January 31, 1979.

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 Doctor Gordon Kenneth MacLeod, 319 Juniata Court, Pittsburgh 15208, Allegheny County, Forty-third Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January, 1983, and until his successor shall have been appointed and qualified, vice The Honorable Leonard Bachman, Philadelphia, whose term expired.

DICK THORNBURGH.

EXECUTIVE NOMINATION

EXECUTIVE SESSION

Motion was made by Senator FUMO,

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

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATION

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

NOMINATION TAKEN FROM THE TABLE

Senator FUMO. Mr. President, I call from the table from consideration the nomination reported from committee today and previously read by the Clerk.

On the question,

Will the Senate advise and consent to the nomination?

Senator FUMO. Mr. President, for the information of the Members, today we are asking only that Dr. MacLeod's nomination be considered.

We have been requested by the Republican caucus not to consider Dr. Joseph today. However, for the information of the Members we shall consider Dr. Joseph's nomination tomorrow, one way or the other.

Senator ZEMPRELLI. Mr. President, I know it is late and I know we are anxious to get this Session over tonight.

Dr. MacLeod's nomination has been a source of contention for some of us, and we have indicated previously that we felt the Governor should have the benefit of his nominations in every instance unless there are circumstances which are somewhat taken away from the issues of that which should be in the interest of the nominee.

In this particular situation involving Dr. MacLeod I believe him to be a very highly qualified doctor with great credentials.

There is one problem, however, that is almost indigenous to Allegheny County. That is, there are many of us who recognize the importance of Kane Hospital or its counterpart, the mini Kane Hospital design. Simply stated, what it means is that, within the responsibility of providing long-term health care, the mini Kane concept would provide housing and accommodations for those patients who did not have the ability to provide private home or nursing care type facilities.

Dr. MacLeod in his previous life has been rather vocal in the proposition that he, basically, opposes the Kane Hospital or the mini Kane proposition within the health care service attitude. That is regrettable. The proposition being that, many of us, who have areas such as myself, have people who depend upon this kind of facility for long-term care. To suggest that the emphasis and the eventual future provider should be nursing home or in-home care is devoid of consideration of those persons who neither have the ability to be treated in a nursing home or have a home in which they can be cared for; and there are many of them.

Mr. President, I express concern about Dr. MacLeod's attitude and what he will eventually do in this problem as I see it and as others from my county see it.

On the other side of the coin many of us have met with Dr. MacLeod to explore precisely what his attitude is and what we may expect from him in the discharge of his duties as Secretary of Health should he be consented to and appointed. We are satisfied that he has said, first of all, that he will recuse from any situation where he would make the decision relative to Kane Hospital or the mini Kane Hospital proposition, that he would allow others to make that decision. He also indicated to us, and I am satisfied, that he will not use a committee to make that determination for him. He will bite the bullet, so to speak, and either recuse or, if he is in opposition, allow others to make that

decision who are responsible to him and to the Department.

Primarily, and most important, he has indicated that under no set of circumstances would he allow Federal funds to lapse because the availability of those funds might be in direct conflict with his attitude towards the mini Kane or the Kane Hospital maintenance program. It falls short of what our expectations are and because I feel it is necessary for me, as a representative of the Forty-fifth Senatorial District, to take a positive stand in favor of the mini Kane Hospital proposition, which is so beneficial or would be so beneficial in any long-term health care provider system, that I must vote against Dr. MacLeod on this specific issue because it leaves little hope for a monumental health problem in my area. In doing so, I am not casting any reflection upon Dr. MacLeod's general ability. Simply stated, we have a serious difference of opinion on a matter of great importance to me as a representative of the Forty-fifth Senatorial District. That is unfortunate.

Mr. President, I ask no one else to follow my wishes because it is a problem that is peculiar to me and is to be judged in that light.

Senator STAUFFER. Mr. President, I believe many of us in the Senate of Pennsylvania, for a number of years, have followed the theory that a Governor, a newly-elected Governor, should be given the opportunity to field his team, which is his Cabinet, in order that his policies and programs, in the initial instance, may be carried forth. It is on that basis that many of us in the past voted to confirm all the members of Governor Shapp's Cabinet, for example, and Governors who preceded him. I believe that is such an important point it should not be lost here among us today.

Furthermore, I believe that in evaluating a potential Cabinet member or department head we should consider his qualifications in the broadest possible context. In analyzing Dr. MacLeod no one can deny that in that context he has outstanding credentials and is certainly qualified to hold the position. I believe it is important, not only in this instance but also in others, that we recognize individual parochial issues are not the measure by which we should judge Cabinet appointees because, if that were the case, probably in almost every instance, we could find some particular project or program that we, individually, supported that, for some reason, did not have the support of the Cabinet nominee. On that basis, Mr. President, I would ask that all the Members today vote, not on the basis of a parochial issue—and I believe the gentleman very well stated when he pointed out that he does have a parochial issue and is not asking others to vote in the negative. I believe it would be a shame if this gentleman, with his proper credentials and the fact that he is the Governor's choice for this position, were not to be confirmed because of this single very local issue. On that basis, Mr. President, I would hope that we will have a sufficient number of positive votes so that we do, in fact, confirm Dr. MacLeod as Secretary of Health.

Senator SCANLON. Mr. President, I, too, am from Allegheny County and I, too, am very much impressed with the professional qualifications of Dr. MacLeod. Contrary to the Majority Leader, I intend to vote for him. Consistent with the Majority Leader, I support the mini Kane plan or any plan which will

help alleviate the problem of the aged in Allegheny County and throughout the State.

I do think, however, that the only issue involved in a confirmation process is a candidate's overall ability to perform the chore of administering the department to which he has been appointed. I do not believe that any Senator should take a particularly serious local issue and use it, because of a basic disagreement, in their judgment, on how they cast their vote. I support the mini Kane plan wholeheartedly. I believe the good doctor has stated that he would not let the mini Kane plan go down the drain if that was the alternative to preserving Federal funds. I am willing to buy that.

Dr. MacLeod, to me, is one of the most outstanding students of medicine and has been associated with the University of Pittsburgh for many years and I fully intend to support him.

Senator EARLY. Mr. President, I rise in opposition to this particular candidate and I, too, reside in the County of Allegheny.

I was fortunate to have the opportunity of hearing Dr. MacLeod when he came before the Committee on Public Health and Welfare. I also read his perspective and his desires on how to handle the senior citizen problem, not only in Allegheny County but in every county. I have to say that what he is proposing is fantastic, in fact I say it is Utopia. Unfortunately, it will not work. Maybe the doctor has spent a great deal of time at the University. Perhaps he has spent too much time at the University and is not aware of what is going on in real life.

I indicate to my colleagues that Dr. MacLeod has indicated how he proposes to handle the senior citizen problem is not through a Kane Hospital—and for those of you who do not reside in Allegheny County, Kane Hospital is a high rise hospital that has been the home of many senior citizens who have no way of supporting themselves and they are there under medicare or medicare. We have had a great number of problems with the Kane Hospital and most will agree Kane Hospital should be closed. It is just too expensive to operate.

The County Commissioners and others in Allegheny County have proposed a mini Kane plan. The mini Kane plan is four regional, small hospitals to handle the elderly. Dr. MacLeod has indicated, both in committee and through the press, that he would like to see the senior citizens in private nursing homes. I must agree that would be fantastic. This is where I indicated it would be Utopia but impossible.

I checked with the nursing homes throughout my Senatorial District and I asked them how many beds they had available for patients who would be on medicare and medicaid. The answer was, absolutely none. I have fourteen private nursing homes in my area and as of the day that Dr. MacLeod came before the Committee on Public Health and Welfare there were absolutely no beds available.

Mr. President, we are talking about closing a hospital or not going for a mini Kane which will accommodate approximately 2,000 senior citizens. If those 2,000 senior citizens had to go into private nursing homes, as Dr. MacLeod indicated that is where they belong, not one, Mr. President, would be in a nursing home; because they are just not available.

Nursing homes have been complaining for years—and I am

sure my colleagues got the same mail that I have—that they will not take medicare or medicaid patients because of the fact the State and the Federal government does not provide a sufficient number of dollars to care for these elderly.

Mr. President, I do not believe we can talk individuals into building these private nursing homes, as Dr. MacLeod has indicated, if they know they are going to lose, I have heard, anywhere from \$8 to \$16 per day per patient. I do not believe we are going to talk individuals into building these nursing homes, as Dr. MacLeod would like, knowing that they will lose a minimum of \$8 per day, per patient.

We, in Allegheny County, are faced with this dilemma, because if Dr. MacLeod does not certify the mini Kane plan, it will mean that we cannot have them, we in Allegheny County will be in a real dilemma.

Mr. President, I say to my fellow Senators, Allegheny County is caught in the situation because of timing. The timing is very important to us. However, I am sure Dr. MacLeod will make a similar ruling in other counties and they will be faced with the same dilemma as to where the senior citizens will find a place to live.

Therefore, Mr. President, on that score I ask my colleagues not to vote for Dr. MacLeod.

In closing, Mr. President, I would like to inform the Body that the pro-life groups throughout the Commonwealth of Pennsylvania have indicated that they would like to talk with Dr. MacLeod concerning his idea on abortion. They have not had an opportunity to ask Dr. MacLeod some questions. In meeting with the Committee on Public Health and Welfare, Dr. MacLeod spoke first. The following week, individuals from the pro-life groups came and they wanted to ask Dr. MacLeod some questions but Dr. MacLeod was not at this particular meeting. They contacted Dr. MacLeod and asked him if he would be kind enough to answer specific questions and Dr. MacLeod's answer to this organization was that he will not meet with any groups until after he is confirmed, not before. I believe, Mr. President, a group such as the pro-life should have an opportunity to question this individual concerning his attitude on this very, very important issue.

Therefore, Mr. President, for these two reasons, I ask my colleagues to vote against this particular nominee.

Senator SCHAEFER. Mr. President, being a Senator from Allegheny, I, too, along with each and every one of my colleagues, have some very definite feelings about the confirmation of Dr. MacLeod.

I intend to join with my distinguished colleague, the gentleman from Allegheny, Senator Scanlon, in supporting Dr. MacLeod's nomination. In no way do I wish this to be viewed as a slap in the face to the concern of my other colleagues.

I believe it demonstrates that this is not a parochial issue or political issue, as such, but I think a healthy discussion of the entire issue of long-term care for the elderly. I also think that this whole dialogue around his confirmation demonstrates that there are some very good, though opposing, viewpoints.

Dr. MacLeod has an outstanding background. We would be fools to deny that. He has demonstrated throughout this whole process that he is willing to be flexible insofar as the particular

problems of any community's needs are concerned, insofar as the care for the elderly is dealt with. For this reason I take very strong exception to those people who view our concerns as being parochial. I agree with the gentleman from Allegheny, Senator Early, that, yes, we should be concerned. I think it is a valid concern and one which we have a responsibility to thoroughly air. However, I disagree with the gentleman from Allegheny, Senator Early, because I feel Dr. MacLeod has demonstrated a concern and a flexibility.

We had a meeting today about this issue among the delegation. During that meeting we talked with the County Commissioners of Allegheny County. It was interesting that, during that meeting, Dr. MacLeod was present along with the Chairman of the Board of Commissioners, Commissioner Flaherty. That was very impressive to me because it indicated very strongly, I feel, that he is willing to sit down and talk about the viewpoints of the county, talk about the particular problems and try to understand what it is we are talking about with the Kane versus mini Kane versus the private nursing home philosophy.

Mr. President, my concern and a concern which I feel is shared by the County Commissioners is that nothing is done to jeopardize the loss of Federal funding. Dr. MacLeod has given us his unequivocal commitment that he will not do anything while acting as Secretary of Health to lose that Federal funding.

Mr. President, with that I feel Dr. MacLeod is worthy of the position and deserving of our support.

Senator MCKINNEY. Mr. President, I, too, rise to oppose the confirmation of Dr. MacLeod, perhaps for a different reason than my colleagues from Allegheny County.

At the public hearing held by the Committee on Public Health and Welfare on Dr. MacLeod's confirmation, I asked Dr. MacLeod a direct question, where did he stand on the the so-called cancer drug, laetrile? I cannot quote him verbatim, but he gave me the impression that he would recommend to the Governor that if such a bill did pass the General Assembly, to veto it.

I have never, up to this point, voted against any Governor's Cabinet choice. But, because laetrile is very close to my heart, for personal reasons, I feel that I must vote against the nomination of Dr. MacLeod, and for that reason alone.

In addition, my mail has been very heavy from the pro-life people in my District who, as stated by the gentleman from Allegheny, Senator Early, were not given an opportunity to meet with Dr. MacLeod before his confirmation.

Therefore, Mr. President, on those grounds I intend to vote against the nomination of Dr. MacLeod.

Senator SNYDER. Mr. President, I believe the gentleman from Philadelphia, Senator McKinney, might be glad to be refreshed in his memory of what Dr. MacLeod said with respect to laetrile. This was asked by the gentleman and I know his very deep, personal interest in this. The pertinent part of the answer was when Dr. MacLeod said, "In general, I think there is no evidence, to the best of my knowledge, at the present time that laetrile is effective as an anti-cancer agent. But I understand research is going on, and I will watch that with great in-

terest if we do get an answer that indicates laetrile is effective."

The gentleman from Philadelphia, Senator McKinney, then asked a further question, "What would your position be as administered by the Department of Health? What would your testimony be?"

Dr. MacLeod responded, "I would have to wait until the situation developed and certainly look at it, study the subject, see what is going on and then report on the basis of that."

I feel that was a very fair answer. We must remember that the medical profession at this point does not approve of laetrile and I feel Dr. MacLeod went as far as any member of that profession reasonably could in assuring us that he would remain open-minded if there was further evidence to justify the use of that drug.

May I also say that I believe the gentleman from Allegheny, Senator Zemprelli, put the whole matter in very good perspective so far as Kane is concerned. Those of us who are not from Pittsburgh obviously do not know the pros and cons of that situation, and I believe it shows discriminating judgment on the part of the Allegheny delegation to divide their votes, shall I say, some for and some against where the matter concerns them so acutely.

I do feel that on the matter of senior citizens I might quote just four lines from the testimony of Dr. MacLeod which he gave before the committee. He said with respect to the senior citizens—and I believe this was in answer to the gentleman from Allegheny, Senator Early—"I am in favor of the principle of decentralized health care for the elderly nearer to their community. To that extent, as I indicated before, it has been publicly enunciated that that is my position."

I think, as a general principle, to that extent we would all go along with that also. We realize that idealistic hopes spring with anybody who takes State office for the first time. It is true it may be Utopian and it may not be practical to do the things the good Doctor would like to do, but I believe he will find that out fast enough when he and the other Cabinet members get to the budget and confer with the front office as to what can be advocated.

With respect to the abortion matter I believe he has assured us—and I saw a letter addressed to the gentleman from Cambria, Senator Coppersmith, on this—that the abortion matter is personally repugnant to him. He also has assured us that he would carry out the law as the law is written on anything relating to that matter. Here again one cannot fault the man for taking that position.

Again, Mr. President, I think it fine that this Body is taking this in a detached and objective way and I would hope that there would be confirmation of a very well qualified doctor.

Senator ORLANDO. Mr. President, I attended the hearings on Dr. MacLeod and I agree with many of those who have spoken before me that he has an outstanding curriculum vitae.

I disagree with the gentleman from Chester, Senator Stauffer, where he states the Kane issue, as he pointed out, was a parochial issue. There is an issue prevalent in my District which is similar to the Kane issue. At the present time we have long waiting lists, not only with private nursing homes but also with

the public sector nursing homes, and it is a problem in my community and in my District.

I also have some misgivings concerning this position on the pro-life issue, but I feel, even though I voted not to bring this nomination out of committee, I will support his nomination because I believe, being in the positive, perhaps, after listening to Dr. MacLeod, many of these issues can be resolved on a man-to-man basis rather than be negative in this respect.

Therefore, Mr. President, I will support the nomination of Dr. MacLeod.

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

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

YEAS—37

Andrews,	Hopper,	Mellow,	Romanelli,
Bell,	Howard,	Messinger,	Ross,
Coppersmith,	Jubelirer,	Moore,	Scanlon,
Corman,	Kelley,	Murray,	Schaefer,
Dwyer,	Kury,	O'Connell,	Snyder,
Gekas,	Kusse,	O'Pake,	Stapleton,
Greenleaf,	Lewis,	Orlando,	Stauffer,
Hager,	Loeper,	Price,	Stout,
Hess,	Manbeck,	Reibman,	Tilghman,
Holl,			

NAYS—9

Bodack,	Lincoln,	McKinney,	Smith,
Early,	Lynch,	Pecora,	Zemprelli,
Fumo,			

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

The motion was agreed to.

SENATE RESOLUTION

RECOGNIZING THE EXPANDED FOOD AND NUTRITION PROGRAM OF THE COOPERATIVE EXTENSION SERVICE OF THE PENNSYLVANIA STATE UNIVERSITY ON ITS 10TH ANNIVERSARY

Senators CORMAN, JUBELIRER, HOPPER, and HAGER offered the following resolution (Serial No. 27), which was read and referred to the Committee on Agriculture and Rural Affairs:

In the Senate, March 5, 1979.

WHEREAS, Food and nutrition knowledge is essential to attitudes and practices fundamental to an individual's health and well-being; and

WHEREAS, Improved nutrition is an integral component of preventive health care; and

WHEREAS, The Cooperative Extension Service of the Pennsylvania State University was established to provide useful and practical information and to encourage its application, Penn-

sylvania Extension is committed to carrying out a nutrition education program to improve the quality of life for families across the Commonwealth; and

WHEREAS, The Expanded Food and Nutrition Education Program (EFNEP) of the Cooperative Extension Service, the Pennsylvania State University, reaches limited resource families particularly those with young families across Pennsylvania with nutrition information to improve their diets and learn food preparation and management skills; and

WHEREAS, These families demonstrate marked improvements in food consumption practices, use of community resources and economic opportunities; and

WHEREAS, During 1978, 245 extension nutrition aides, working in communities where they live, worked with almost 15,000 families and in ten years have reached over 54,000 families in 61 of Pennsylvania's 67 counties and 144,000 Pennsylvania youth in the youth nutrition phase of the program; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania recognize on this the 10th anniversary of the Expanded Food and Nutrition Education Program of the Cooperative Extension Service of the Pennsylvania State University, the profound impact EFNEP has had on the families, both adults and youth, it has reached across the Commonwealth.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Charles F. Swartz, Jr. by Senators Howard and Lewis.

Congratulations of the Senate were extended to Mr. and Mrs. Santo DiGioia by Senator Lincoln.

Congratulations of the Senate were extended to Ethel H. Wilson by Senator Kusse.

Congratulations of the Senate were extended to Joseph Oravitz by Senator Kury.

Congratulations of the Senate were extended to Mr. and Mrs. Oren Winter, Mr. and Mrs. Donald Hostler, Mr. and Mrs. Warren Stahl, Mr. and Mrs. Samuel A. Miller, Mr. and Mrs. Norman B. Poorbaugh, Mr. and Mrs. Usher Kane, Mr. and Mrs. Charles Pope, Mr. and Mrs. Vernon Kinzey and to Mr. and Mrs. George B. White by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Edward F. Brewer, Mr. and Mrs. George Jones and to the Union of Soviet Socialist Republics Wrestling Team by Senator O'Connell.

Congratulations of the Senate were extended to Marine Sergeant Kenneth L. Kraus by Senator Holl.

Congratulations of the Senate were extended to Pietro Pizzotti by Senator Lynch.

Congratulations of the Senate were extended to Gordon W. Cunningham by Senator Stapleton.

Congratulations of the Senate were extended to the 1978-79 Phoenixville Senior High School wrestling team and its coaches by Senator Stauffer.

Congratulations of the Senate were extended to Mr. and Mrs. Clyde E. Heath by Senator Greenleaf.

Congratulations of the Senate were extended to Dollie Bushey by Senator Hopper.

CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolu-

tion, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late Judge Samuel H. Jubelirer by Senator Jubelirer.

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 58, 64, 137, 138, 139, 197 and 281.

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

PETITIONS AND REMONSTRANCES

Senator KURY. Mr. President, I would like to complete what I started when the gentleman from Lycoming, Senator Hager, cut me off at an earlier time.

Mr. President, in the 1976 Session of this Legislature, the Senate Committee on Consumer Affairs completed the first investigation of the Public Utility Commission since it was created. The result of that investigation was Act 215 and Act 216 which were signed into law by the Governor.

We determined, at that time, that these bills should be looked at again several years down the road to see how well they were working. In 1978 we held another set of hearings on the Public Utility Commission. The result of those hearings is a report purposely sent to each Senator in January recommending additional changes in the PUC law.

Mr. President, I ask unanimous consent to insert the report of that committee, written by myself and the gentleman from Delaware, Senator Bell, the ranking Republican member, into the record. I also ask that the original copy be filed with the Librarian of the Senate.

I would also like to point out that the bill which I introduced during that order of business was a bill to implement this report. I respectfully call this to the attention of the Members of the Senate.

The PRESIDENT. Without objection, the report will be placed in the appendix of the Senate Journal.

(For Report of the Senate Committee on Consumer Affairs re The Public Utility Commission, see Appendix.)

Senator HAGER. Mr. President, I want to congratulate the gentleman from Northumberland, Senator Kury, on a fine speech and tell him how much better it sounded there than at some earlier point in the order of business.

Senator BELL. Mr. President, during the recent confirmation vote of Dr. MacLeod, I was rather surprised to hear that he was being opposed by the pro-life people. I had heard this earlier this afternoon. I have very active pro-life groups in my District. I have very good communication with these groups and none of them had contacted me. I am just wondering if someone has slipped up by not contacting me or whether somebody had slipped up by shooting at the wrong man.

If there is something wrong with the practicing of medicine by one who specializes in abortions, I believe that matter should be taken up with the Bureau of Professional Licensure in the Department of State, not in the Department of Health. If it has something to do with State money being spent for abortions, I believe that is the concern of the Department of Welfare.

Since I had not heard from the pro-life people in my District and because I likewise believe that a Governor should be given his first crack at a Cabinet, I voted "yes" on the confirmation.

Senator EARLY. Mr. President, after hearing my distinguished colleague refer to a few statements which I made, I believe it is only fair that I return to the floor. It is amazing why he did not interrogate me while I was here but waited until I left the Chamber.

I assure the gentleman that the pro-life people have been against Dr. MacLeod. I have seen a copy of a letter they sent to the Senator. Apparently he does not read his mail. I have a copy in my office if he would like to see it.

Senator BELL. Mr. President, I did not think I had to wait for the gentleman from Allegheny, Senator Early, to be on the floor at any time when I state facts. I am not subject to his domination.

Next, I would like to say that as far as receiving letters, I do read my mail; I do answer the letters; and if I received a letter from a pro-life group in his District I would have told them I have pro-life people in my District. They supported my reelection, I am very close to them and I will take advice from the pro-life people in Delaware County, not from people who are in the District of the gentleman from Allegheny, Senator Early.

Senator EARLY. Mr. President, now I know the gentleman does not read his mail because the letter which was sent did not come from anyone in my District, but it did come from the Federation which is headquartered right here in Harrisburg. If he would go back to his desk, I am sure he will see the letter. If not, I would be happy to send him a copy of the one I received. That, however, does not assure us though if he received another one, he would read that.

Senator BELL. Mr. President, if the letter arrived during the last couple of days, it is in a pile which is one foot high on my desk. As far as my reading mail, sometimes I cannot understand it because some of my friends of the gentleman from Allegheny, Senator Early, do not write very coherently.

Senator EARLY. Mr. President, I assure the gentleman that I did not realize it was my responsibility to keep track of his mail, but I will do a better job of it in the future. However, I must indicate to him that the letter was not sent out this week. The letter was sent out last week. Therefore, it is probably on that same pile.

Senator HAGER. Mr. President, I just wanted to suggest that I do not believe the gentleman from Allegheny, Senator Zemprelli, and I should get into this one. Do you think so, Mr. President?

Senator ZEMPRELLI. Mr. President, it would be my suggestion at the next caucus that we drop Petitions and Remonstrances from the agenda on Mondays. I believe we should move on to Announcements by the Secretary and straight to

the Adjournment which I think is a good motion in order at this time, except I will yield to the gentleman from Lebanon, Senator Manbeck, my good and personal friend.

Senator MANBECK. Mr. President, I do not intend to get into a discussion of the debate which has been in progress here. I want to congratulate the leadership of both the Republican and Democratic Senate for setting up a program where we leave early and where we have no debate on a Monday and where everything moves smoothly. I really feel that they are on the right track and I would like to congratulate them.

Senator ZEMPRELLI. Mr. President, I would like to thank the gentleman for those laudatory remarks. I think he sees the wisdom in what we are doing.

COMMUNICATION FROM THE GOVERNOR JOINT SESSION

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

March 1, 1979.

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

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Wednesday, March 7, 1979, at a time convenient to the General Assembly.

DICK THORNBURGH.

HOUSE MESSAGE HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

APPOINTMENT OF MEMBERS TO PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

The PRESIDENT. The President pro tempore of the Senate has informed the Secretary of the Senate that he has appointed the following Senators to serve as members of the Pennsylvania Commission on Interstate Cooperation: the gentleman from Allegheny, Senator Edward P. Zemprelli, Chairman; the

gentleman from Berks, Senator Michael A. O'Pake; the gentleman from Beaver, Senator James E. Ross; the gentleman from Philadelphia, Senator Joseph F. Smith; the gentleman from Delaware, Senator Clarence D. Bell; and the gentleman from Lawrence, Senator W. Thomas Andrews.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 6, 1979

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|------------|---|---------------------------------|
| 9:30 A.M. | CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS (to consider Senate Bills No. 61, 108 and 265) | Room 352 |
| 10:00 A.M. | EDUCATION (to consider Senate Bills No. 132, 243, 374 & Senate Resolution No. 202) | Room 188 |
| 1:15 P.M. | RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 26) | Rules Committee Conference Room |

THURSDAY, MARCH 8, 1979

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|-----------|---|--|
| 9:30 A.M. | LOCAL GOVERNMENT (Public Hearing on Senate Bills No. 316 and 317) | Holiday Inn, Street Road, Trevose, PA. |
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TUESDAY, MARCH 13, 1979

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|------------|---|-----------------------------|
| 10:30 A.M. | URBAN AFFAIRS AND HOUSING (a Hearing on testimony relating to Senate Bill No. 65) | Senate Majority Caucus Room |
| 12:30 P.M. | | |

ADJOURNMENT

Senator ZEMPRELLI. Mr. President, I move that the Senate do now adjourn until Tuesday, March 6, 1979, at 1:00 p.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 7:03 p.m., Eastern Standard Time.