

Legislative Journal

TUESDAY, JUNE 12, 1979

Session of 1979

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SENATE

TUESDAY, June 12, 1979.

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

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

PRAYER

The Chaplain, Father STEPHEN SLAVIK, Pastor of St. Rochus Catholic Church, Johnstown, offered the following prayer:

Let us pray: Lord, we pause a moment to realize again who we are, what we are about in the meaning of Your presence among us. The men gathered here are dedicated to preserving and developing the law that governs free people in a free society.

Help them to realize the law with its punishments and rewards, its pressures and demands only has meaning if it helps people to grow into human persons who incorporate within themselves the reason for the responsibility. Help each of us to grow into such persons and let the freedom and sense of humanity that that growth brings be reason enough to put up with the frustrations that come with the work these men are called to do.

Let that moral, human growth not only inspire our activity with a purpose and goal to be achieved, but let it become for us a real part of the universe that mediates and mirrors Your gracious presence and let a sense of Your presence within the universe we live in, not only fulfill our human growth and longing, but let it give us some sense of joy in our lives and help us always to give praise and thanksgiving to You. Amen.

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.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 1328**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 147**, which was referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

He also presented for concurrence House Concurrent Resolution No. **89**, which was referred to the Committee on Rules and Executive Nominations.

SENATE CONCURRENT RESOLUTION RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Concurrent Resolution, Serial No. **202**, with the information that the House has adopted same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The resolution, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Weekly Adjournment.

REPORTS FROM COMMITTEES

Senator GURZENDA, from the Committee on Aging and Youth, reported, as amended, **SB 237**.

Senator ARLENE, from the Committee on Labor and Industry, reported, as amended, **SB 337**.

Senator LEWIS, from the Committee on Local Government, reported, as amended, **SB 693**.

Senator REIBMAN, from the Committee on Education, reported, as committed, **SB 307** and **783**; as amended, **SB 629**.

RESOLUTION REPORTED FROM COMMITTEE

Senator EARLY, from the Committee on Constitutional Changes and Federal Relations, reported without amendment, House Concurrent Resolution No. **34**, entitled:

General Assembly memorialize Congress establish one agency for testing consumer goods.

The PRESIDENT. The resolution will be placed on the Calendar.

BILLS INTRODUCED AND REFERRED

Senators LEWIS, ARLENE, O'PAKE, ZEMPRELLI and BODACK presented to the Chair **SB 816**, entitled:

An Act providing for the establishment of a Home-bound

Dentistry Program for certain elderly individuals; imposing powers and duties on the Department of Aging and making an appropriation.

Which was committed to the Committee on Aging and Youth.

Senator MELLOW presented to the Chair SB 817, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the pension for deceased soldier's dependents.

Which was committed to the Committee on Appropriations.

He also presented to the Chair SB 818, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to convey to Newton Township, Lackawanna County, Pennsylvania, 51.5 acres of land, more or less, situate in Newton Township, Lackawanna County, Pennsylvania.

Which was committed to the Committee on State Government.

Senators SCHAEFER, MELLOW, MESSINGER and STAPLETON presented to the Chair SB 819, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," prohibiting contributions made by certain persons.

Which was committed to the Committee on State Government.

Senators SCHAEFER and FUMO presented to the Chair SB 820, entitled:

An Act amending the act of September 27, 1961 (P. L. 1700, No. 699), entitled "Pharmacy Act," further providing for licensing of pharmacy interns.

Which was committed to the Committee on Professional Licensure.

Senator GREENLEAF presented to the Chair SB 821, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," excluding residential solar energy systems from the sales and use tax.

Which was committed to the Committee on Finance.

He also presented to the Chair SB 822, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," excluding from income tax certain amounts paid for solar energy producing systems.

Which was committed to the Committee on Finance.

He also presented to the Chair SB 823, entitled:

An Act prohibiting the construction of a nuclear plant for the production of energy under certain circumstances.

Which was committed to the Committee on Consumer Affairs.

Senators FUMO and SMITH presented to the Chair SB 824, entitled:

An Act making an appropriation to Combs College of Music, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTIONS

**MEMORIALIZING PRESIDENT AND CONGRESS
IMPLORE CANADA TO STOP SLAUGHTER OF
INFANT HARP SEALS**

Senator GREENLEAF offered the following resolution (Serial No. 211), which was read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, June 12, 1979.

Each plant and animal in this world is part of a single ecological system. Each is dependent on the other if the system is to be preserved. The elimination or serious reduction in the number of a given species upsets the delicate balance of the system and is to be abhorred.

Modern science has established that the killing of the infant harp seals is not justified for any reason and that its continuation will soon mean the loss of the species; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the President and the Congress of the United States to implore Canada to stop the slaughter of the infant harp seals; and be it further

RESOLVED, That copies of this resolution be transmitted to the President and to the members of his cabinet, the presiding officer of each House of the Congress and to each Senator and member of the House of Representatives from the Commonwealth of Pennsylvania.

**GENERAL ASSEMBLY TO PROVIDE MATCHING
FUNDS FOR APPALACHIAN DEVELOPMENT
HIGHWAY FUNDS**

Senators HAGER, JUBELIRER, COPPERSMITH, KELLEY, CORMAN and STAPLETON offered the following resolution (Serial No. 212), which was read as follows:

In the Senate, June 12, 1979.

WHEREAS, The General Assembly is at this time considering a Motor License Fund budget; and

WHEREAS, \$11,500,000 of Appalachian Development Highway Funds presently allocated to Pennsylvania may be permanently reallocated to other states on June 15, 1979 because the Commonwealth has not indicated an intention to provide State funds to match the Appalachian Development Highway Funds; and

WHEREAS, Such reallocation would do significant damage to efforts toward revitalization within the Appalachian district in Pennsylvania; and therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly of Pennsylvania does intend to provide a minimum of \$2,750,000 as matching funds for the \$11,500,000 of Appalachian Development Highway Funds; and be it further

RESOLVED, That the General Assembly requests the Appalachia Regional Commission to defer reallocation of the Appalachian Development Highway Funds; and be it further

RESOLVED, That copies of this Resolution be forwarded to the Appalachia Regional Commission, the Governor, the Secretary of Transportation, and the Secretary of Commerce.

Senator HAGER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,
Will the Senate adopt the resolution?

**SENATE CONCURRENT RESOLUTION,
SERIAL NO. 212, ADOPTED**

Senator HAGER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, Serial No. 212.

The motion was agreed to and the resolution was adopted.

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

**GUESTS OF SENATOR JEANETTE F. REIBMAN
PRESENTED TO SENATE**

Senator REIBMAN. Mr. President, Members of the Senate, I would like to present for your usual warm welcome members of the Bethlehem Area Chamber of Commerce, who have been here today on a day-long tour of the Capitol and are now present sitting in the gallery. Would you please welcome them, Mr. President?

The PRESIDENT. Would the members of the Bethlehem Area Chamber of Commerce please rise so the Senate may give you its traditional warm welcome?

(Applause.)

**GUESTS OF SENATOR ROBERT J. MELLOW
PRESENTED TO SENATE**

Senator MELLOW. Mr. President, it is not very often that I have an opportunity of introducing the two people who are responsible for me being here. I know that in many cases in political life we have many people that tell us they are responsible for our political existence. Well, the two people that are responsible for my existence are here today, my mother and father, along with Mr. and Mrs. John Murgia, who are seated in the gallery. I wish our Senate would give them our usual warm and cordial welcome.

The PRESIDENT. Would they please rise so that the Senate may give you their traditional warm welcome?

(Applause.)

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

SB 372 (Pr. No. 376) — On the question,
Shall the bill pass finally?

Senator ANDREWS. Mr. President, I had asked that Senate Bill No. 372 go over last week so that the bill could be studied further, because it is a bill of considerable length and I told the Members of our caucus yesterday I would be able to report to them today on Senate Bill No. 372. I have investigated all of the changes and wording between the present Uniform Commercial Code and this particular bill and have found nothing significant and would certainly recommend the approval of Senate Bill No. 372.

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—48

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

NAYS—2

Bell, Tilghman,

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

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

THIRD CONSIDERATION CALENDAR

**PREFERRED APPROPRIATION
BILL ON THIRD CONSIDERATION AMENDED**

SB 799 (Pr. No. 869) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 3, by striking out "Luzerne County," and inserting: the Counties of Carbon, Lackawanna, Schuylkill and Luzerne in the Commonwealth of Pennsylvania.

Amend Sec. 1, page 1, line 11, by striking out "area" and inserting: areas

Amend Sec. 1, page 1, lines 11 and 12, by striking out "Drifton Estates, Hazel Township, Luzerne County," and inserting: the Counties of Carbon, Lackawanna, Schuylkill and Luzerne in the Commonwealth of

On the question,

Will the Senate agree to the amendments?

They were agreed to.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 61 (Pr. No. 61) — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

Senator HANKINS. Mr. President, fellow Members, we are about to assume a responsibility which many of us within the sound of my voice, acted upon previously, in the belief that our

fellow legislative friends in the House would affirm just as we did.

Senate Bill No. 61 has to do with the ratification of the constitutional amendment which would give the District of Columbia state status. When I asked your support previously, I asked it in the context of the moment that offered us the opportunity to be the first or second of the States to ratify. I return to you today to ask you now to reaffirm the interest of the Senate and vote for ratification of these amendments.

Mr. President, I sincerely believe that there will be a positive response by our friends in the Legislature when they are asked to vote, and Pennsylvania will join those other states who recognize the validity of the request that the District of Columbia be state status. This is a very serious situation. It cannot be taken lightly and should not be considered from the political standpoint. It is a moral issue, just as important to the progress of this country as that which determined the decision of our forefathers that this unborn nation cannot be taxed without representation. It is just as important, Mr. President, as those who felt that this nation could not be represented of its concept of full freedom when the Dred Scott decision was rendered by Supreme Court Justice Taney, which declared that a segment of our population had no status as citizens.

Mr. President, it is just as significant as that which the Congress determined that the right to vote for all citizens was very important, hence the Voting Rights Act of 1974. We have come a long way and we have taken many steps to affirm the dignity of human beings. President Carter has extended himself to attempt to bring peace in the Middle East. As difficult as the thought was at the time of his efforts, the question of the D. C. amendments is upon us. Each of us here in the Senate Chambers has a moral responsibility to do two things. First, give unanimous approval to the ratification to the amendments; and secondly, to buttonhole our friends in the Legislature to say that Senate Bill No. 61 must be passed by the legislative Bodies of the Commonwealth of Pennsylvania so that they will join hands with the forward thinking citizens of the States of this nation who have declared that the residents of the District of Columbia must indeed be free to vote their own representation and that that representation should have an active voting voice in the halls of Congress and the Senate of our nation.

Mr. President, I see no need to justify my position. At this point in time, I see only an urgency to get on with the business of human recognition and human rights. It virtually demands that we step into the Twenty-first Century with a citizenship which has full representation throughout the length and breadth of this country.

Mr. President, I am happy, therefore, as a Senator from the Seventh Senatorial District of the Commonwealth of Pennsylvania, to submit to this Senate another bill which is on this Calendar today to be voted on to ratify the D. C. amendments and to say, in so doing by our vote, to the other House, that we meant what we did the first time. We mean what we are doing this time. We want you to join with us and put Pennsylvania in the affirmative column.

Mr. President, I wish to ask all the Senators on both sides of the aisle to vote in an affirmative position on these D. C.

amendments.

Senator STAUFFER. Mr. President, I must rise to oppose the passage of Senate Bill No. 61, and I think it is unfortunate that such a serious and critical and far-reaching constitutional issue comes before us with some emotion involved in its consideration. The fact that we would literally confer statehood on one of the cities of this country in clear contravention to the Constitution of the United States and in clear contravention to the decisions that were made by the forefathers who developed our form of government, and who established this great nation, is something I think should cause us all to pause and give serious consideration.

Mr. President, as the Members who were here last Session will recall, when this legislation came before us last September, I presented a very detailed objection to Senate Bill No. 61. These objections which are shared by many of my constituents and many Pennsylvanians and many Americans are just as valid today as they were last September. In order to reiterate this position and at the same time conserve the time of the Senate rather than present the complete debate and discussion, I would like to present those remarks and have them entered into today's Journal. I would be pleased to provide additional copies of the figures and the arguments to any of my colleagues or others who might be interested in the subject. Needless to say, I think it would be a step away from the constitutional government as proposed by those who established our country if we were to agree to this change in the structure of our Congress and Senate. I would hope that the Members would accordingly vote in the negative.

The PRESIDENT. The Chair hears no objection to the gentleman's request.

(The following prepared statement was made a part of the record at the request of the gentleman from Chester, Senator STAUFFER:)

Senator STAUFFER. Mr. President, we have before us today an emotionally-charged bill, which affects people 100 miles from us more directly than it affects citizens within Pennsylvania's borders. But nevertheless, we are charged with reviewing this legislation and its far-reaching implications.

Before arguing the merits of such a constitutional change, I would like to briefly put to rest three important misconceptions about this issue.

The first misconception is that this change of status only affects the 750,000 residents of the City of Washington. Those who hold this position argue that we in the fifty states should give approval to Washingtonians to map their own destinies.

The fact is that any change in the status quo regarding our Federal district and our overall Federal structure affects every American. Our concern is a just and proper one.

Second, opposition to this constitutional amendment is perceived by some as being racist, an attempt—they say—to maintain colonial status over a jurisdiction which is seventy-one per cent black. Perhaps some feel that way. But it must be remembered that Washington is more than a city with a heavy concentration of blacks. It is a city with a heavy concentration of bureaucrats and government workers, many of whom are transients. It is a city which is bursting at the seams with expan-

sion, increasing wealth, and bigger and bigger government. To say Washington is a black city is like saying Pennsylvania is a Democratic State: It is supported by statistics, but characterized by other important variables.

Third, there is a prevailing feeling that the District of Columbia lacks representation, that it is a colony unfairly taxed without representation. However, the District of Columbia has a nonvoting representative in the U.S. House of Representatives. Further, government employees who live and work in Washington more than adequately represent the interests of Washingtonians in Congress and in hundreds of departments and Federal agencies. One U.S. Senator put it well when he recently said of this amendment, "What we are doing here is giving the Federal bureaucracy itself voting representation in Congress."

Let us not forget that D.C.'s clout is so strong that it pays twenty-nine cents in taxes for every one dollar it receives in Federal funds. In contrast, Pennsylvania—presumably a key industrial State—pays nearly two dollars in taxes for every one dollar it receives in Federal funds.

Let us look at some specific figures: According to the U.S. House Appropriations Subcommittee on the District of Columbia, the Federal payment to the District was \$276 million for fiscal year 1977. The District also received \$32.2 million in revenue sharing funds. The District received \$101 million in Federal loans. The total of Federal funds for fiscal year 1977 was a whopping \$750 million—almost exactly \$1,000 for every man, woman and child living in the District of Columbia.

As you would assume, I oppose this legislation and this proposed constitutional amendment. But, I oppose it not because I am disinterested in the plight of Washingtonians, or because I am insensitive to the racial issue or because I advocate taxation without representation. I oppose this on several strong constitutional grounds.

First and foremost, granting representation to the District of Columbia would be contrary to the intent of the framers of the Constitution. It was clearly the intent of the Founding Fathers that the seat of the national government be located in a special area set aside for that purpose only. It should be outside the jurisdiction of any State, secure from harassment, and free of entangling interests. So, accordingly, they made provision for the establishment of a Federal district over which the Congress would have exclusive legislative authority and plenary power.

The District was not intended by the framers to be a "State" in the same sense as the members of the Union. This would have created another sovereign power in the Nation's Capitol, a sovereign power which might come to conflict with the Federal government on some issues. Those elected to represent the residents of the District could place the needs and concerns of Washington, D.C., paramount to the national interest. Giving District of Columbia residents more voting leverage in the Congress would enable them to put undue pressure on the Congress and the nation.

In fact, granting the District full representation "as though it were a State" would violate the Constitution and work a qualitative change upon our Federal system.

The provisions of the Constitution dealing with the Congress

and the electoral system are clear that only States can have full representation in the national legislature. Article I and the Seventeenth Amendment use the word "State" in reference to membership in the Senate and the House of Representatives. There is no language to suggest that the District or any political entity other than a State would qualify for voting representation in either Chamber.

For purposes of representation in Congress, the District cannot be considered a "State" since it lacks the powers common to States. It is totally unlike these distinct political entities which are independent and sovereign members of the United States.

Mr. President, to allow the District to elect a U.S. Representative and two Senators without actually granting it statehood would mean that we are treating a city as a sovereign State. To create a "pseudo-state" or a "quasi-state" and grant it full representation would do violence to the Constitution and severely undermine the nature of the Federal system in our republic.

Granting such full representation would also violate Article V of the Constitution. Article V, which provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate," was inserted by the framers as a result of compromise among the delegates at the Constitutional Convention. This insertion was made to ensure that the large States would not, at some future time, change the method for representation in the Senate to deprive the small States of their equal representation in that body.

To grant the District voting representation in the Congress would contravene this language and alter the federalist nature of our Republic. To accord two Senators to an entity of government other than a State—a District purposely set apart from the States—would be to diminish and hence deprive the States of their "equal suffrage" in the Senate.

One could argue that granting the District full representation would be to bestow on a non-State all the benefits of a State, namely, its own Senators and Representatives, without requiring it also to accept the coincidental burdens of a State.

It could also be argued that the District of Columbia is no more than a city and thus should not be granted representation in the Congress. Although it could not have been foreseen by the Founding Fathers, Washington, has developed into a large commercial city, and, except for a relatively small Federal enclave, it consists only of that urban center. The framers did not intend that cities should be given representation in the Congress; in fact, they specified in the Constitution that only "States" should have a voice in the Senate and the House.

If the Nation's Capitol, with its roughly 750,000 inhabitants and 69.7 square miles, can elect its own member of Congress, it is logical to give every other city in the United States of equivalent size and area the same right of representation.

The fact that the residents of other U.S. cities can already elect representatives to Congress is irrelevant; they must share their Senators with the rest of the people in the State. If the District of Columbia were granted representation, its residents would have Senators who would be shared with no other people and would speak only for the interests of the District.

Mr. President, as I earlier stated, the District of Columbia is a city full of bureaucrats who do not deserve any more repre-

sentation in the Congress than they already have.

Washington, D.C., is truly a "company town" in which virtually everyone works for or is in some way dependent upon the Federal government for his or her livelihood. In 1976 the Federal government directly employed 38.3 per cent of those working in the District (223,900 employees) and those industries servicing the government employed another twenty-five per cent (150,000 employees). The government's size, power and activities are expanding, assuring the city a prosperous economy and its resident bureaucrats a continued high standard of living.

I would also like to note that granting representation to the District would set a bad precedent for other non-states. Not every American citizen is, in fact, represented in Congress. Puerto Rico, Guam, American Samoa and the Canal Zone have never had their own U.S. Representatives or Senators. Let us not forget that Puerto Rico has 3 million citizens; the District of Columbia has 750,000 citizens. However, if full representation were granted to a non-state, like the District of Columbia, then the basis would be established to later provide representation in the Congress to these U.S. territories as well. In fact, granting representation to D.C. residents would perpetuate inequity since many U.S. citizens, not residents of any State or the District would remain unrepresented in Congress.

Finally, I argue that Pennsylvania has a strong parochial interest in maintaining the status quo. Washington's gain could be Pennsylvania's loss. The U.S. Constitution specifies that the U.S. House of Representatives must not contain more than 435 members. To accommodate the District of Columbia's new congressman, the total number of congressmen from the fifty States would have to be decreased.

As things now stand, Pennsylvania stands to lose one congressman after the 1980 reapportionment. Actually, as things stand now, Pennsylvania stands to lose one congressional seat and a portion of another seat. Granting congressional representation to the District of Columbia may very well tip the scales toward Pennsylvania losing two congressmen. Pennsylvania, which had thirty-six congressmen a half-century ago, would be down to twenty-three congressmen. Pennsylvania's national influence could continue to decline.

Mr. President, the arguments for voting against ratifying this proposed constitutional change are strong and compelling. I ask my colleagues to defeat this measure and prevent establishment of this unfortunate and far-reaching precedent.

Senator ROMANELLI. Mr. President, I would like to make a few remarks in regard to Senate Bill No. 61. Pennsylvania has the power to help give the people of Washington, D.C. something that every other citizen of America is entitled to and, in fact, something that every other citizen in this country quite often takes for granted. Difficult as it is to believe, there are 700,000 people who reside in the District of Columbia, our nation's capitol, without any representation whatsoever in the halls of Congress. They have a right to a job, they have a right to work, they have a right to select their own local assembly people, but yet have no voice in selecting the people who govern and make decisions for them in this country.

I would like to take this opportunity to support the gentle-

man from Philadelphia, Senator Hankins. The gentleman from Philadelphia, Senator Hankins, and myself, along with eight other Members of this august Body, have sponsored Senate Bill No. 61, and I would ask for an affirmative vote in regard to this bill.

Senator CORMAN. Mr. President, I would merely like to point out that my good friend, the gentleman from Allegheny, Senator Romanelli, was slightly in error that not every American will have a vote unless we are going to amend this to include people from Puerto Rico, Guam and American Samoa. There are other places that we do have Americans that are not represented in the United States Senate or in the Congress, and they would still be discriminated against if, in fact, you are calling this discrimination.

Mr. President, I do not think we should extend that vote to the people in Washington, D.C., and I think we ought to consider very much the sentiments expressed in this document that was sent around to everyone.

Senator ROMANELLI. Mr. President, if the gentleman from Centre, Senator Corman, would be good enough to have the resolution or the bill drafted, I would be perfectly willing to co-sponsor it with him, and I think every American should have the right to a voice in Congress and the United States Senate.

Senator KELLEY. Mr. President, I too, like the gentleman from Chester, Senator Stauffer, spoke in opposition to a similar proposition last Session. I do not have a copy of my words then, and if I did, I am not so sure I would be so considerate as to ask for the incorporation in the record and deny myself the opportunity to speak on this issue again.

Mr. President, the gentleman from Allegheny, Senator Romanelli, sets forth he is for it because the gentleman feels the citizens of the District of Columbia are entitled — entitled — to Congressional representation. I want to remind my colleagues, Mr. President, that but for a commitment that was made almost 200 years ago, the Capitol of the United States of America would be in the Commonwealth of Pennsylvania. It is because it is not here, because of that compromise, the special connotation, the special meaning, the unique situation of a Federal city, it was specifically set forth it would not have representation. It was unique because it was a Federal city, it represented everybody. That great compromise was it not be a State.

Mr. President, who among us wants to stand up, as small as it may be, to diminish our representation by one-fiftieth of our representation in the United States Senate? I do not want to diminish our representation as a State at all. I feel it is time for us to not look at it as the gentleman from Philadelphia, Senator Hankins, said, not politically, not politically in the sense about who is going to be represented. It has been speculated by other bodies in the National Congress whether or not those representatives will be black or white or any other minority. That is not the issue. The issue is whether we, as individuals and collectively, believe in the fundamental concept of this country concerning the great compromise.

Mr. President, the only Body elected in this country today that does not have to adhere to one man one vote is the United States Senate because of that compromise, and all of a sudden we want to eviscerate it. I cannot do it. I cannot do it in my conscience. I cannot do it under the oath that I took. I am not ask-

ing you to have the same standards I have, I only invite my colleagues to have the same standard and look at it. What are we doing? If we want to give people representation, then let the resolution, let the Constitutional amendments say that they will have representation in the House of Representatives as it would be proper, and I would support it. But, we cannot amend it because it came to us from the Congress of the United States. Are we so committed that we have to take their language if we disagree with it?

I say, Mr. President, it is time for us to exercise our individual and collective judgment. Re-embrace that great compromise, that was taking place in one of our murals here which took place in Pennsylvania. The very reason Pennsylvania is not the Capitol of the United States is because of the uniqueness to the District of Columbia. I say under the language they are not entitled to representation as a State because of that uniqueness.

If the Congress wants to come back and give them representation in the House of Representatives, I will support it and we all should, but on the basis that it must be all or nothing, I cannot support it, and I ask my colleagues and invite them to consider the same thing.

Senator PRICE. Mr. President, this is an issue which we have all fortunately had enough time and information to consider at some length. For example, I had the chance to read a paper on both sides of the question numbering about forty-five pages, and I do not think there is a person in this room who is not entirely familiar with what is being debated here.

Mr. President, for me the simple fact of not having people who are living within our shores able to vote for their representatives in Congress, in both Houses, is persuasive for me to support it. I would like to spend a moment and mention three of the principal arguments against these amendments, which to me do not come anywhere near curing that defect.

The first is that it is against the intent of the framers of the Constitution. Well, Senators, you all remember when the Constitution was adopted the voting rights were very limited. Black people were not permitted to vote; women were not permitted to vote; nor were those who did not own property. What these amendments do is merely extend to the last group of people living within the jurisdictional limits of the United States that fundamental opportunity.

Mr. President, another argument that is raised is that it is against our Federal system somehow to create a voting right in those who live within the District of Columbia. Well, sovereignty is not the issue as I see it, Mr. President. We are not giving powers to those in the District of Columbia like the powers we have in this State of Pennsylvania. They will still be under Federal jurisdiction; they will still have a Mayor and a Council which is subject to the Congress of the United States. Again, we are merely extending the voting rights to include Representatives and Senators.

Finally, Mr. President, it has been suggested that it is against Article V of the Constitution in that it dilutes the rights of voters in the United States Senate. When we started in this great land, we had only thirteen States and we have added each since with two Senators apiece. All this does is merely add two more. It does not deprive any State of any vote in the United

States Senate.

So, for those three reasons, Mr. President, which I think can be refuted by argument, and the fundamental one, that this extends to the last group of individuals the right to vote for their Senators and Representatives, I support the amendments.

Senator BELL. Mr. President, I am not going back to the Founding Fathers of this Republic. I am going to come to today's problems in America.

If we give two United States Senators to 700,000 people and the County of Delaware from whence I come, has 600,000 people and no United States Senator, who is not represented? Now, this is not the problem. The problem is that 700,000 people in the City of Washington will have two United States Senators. What do the United States Senators do? They do an awful lot of things as to voting on the items which affect the entire country.

We in the frost belt have been literally torn to pieces by the Senators from the sun belt who come two from every State whether they have 400,000 in the State or whether they have a million. We have been out-voted consistently in the Senate of the United States and the benefits that this great country gives to the various States and various regions, had been converted into that sun belt. So here we have a very interesting situation: The great City of Philadelphia, with two million people with no separate Senators is now asking that two United States Senators represent 700,000 people. Those two United States Senators will line up with the Senators from the sun belt and they will continue to give the shaft to those of us of the frost belt.

Senator MCKINNEY. Mr. President, I rise to support the position of the gentleman from Philadelphia, Senator Hankins. I have heard in these Chambers today we are talking about 700,000 persons. As I recall there are many States that have less than 700,000 persons. As an example, there are Delaware, Rhode Island and perhaps some others.

If we are going to talk about numbers for the purpose of having two United States Senators, I cannot see for the life of me why Washington, D. C. is not entitled to have two United States Senators. It would seem to be not political and certainly not racial because it is people on both sides of the aisle who are on opposite sides of this issue. We pass the bill last Session overwhelmingly and, Mr. President, I would certainly urge my colleagues to vote the same way as they did before, if not unanimously at least by a substantial majority.

Senator ROMANELLI. Mr. President, I beg to differ with my colleague from Delaware County, Senator Bell. The people of Delaware County have two United States Senators and two very able United States Senators, Senator Schweiker and Senator Heinz. They get the opportunity to vote for those United States Senators. There are 700,000 Americans living in the District of Columbia who are disenfranchised; more than the seven other States in the Continental United States, they deserve the right to be represented in Congress like every other American.

Senator BELL. Mr. President, I am glad the gentleman from Allegheny, Senator Romanelli, brought out that point because the District of Columbia came from the State of Maryland. Why not present a proposition to return them to the State of

Maryland? Then they would have their United States Senators from the State of Maryland who would represent them as capably as some of our United States Senators have represented some parts of this State in the past.

Senator McKINNEY. Mr. President, in response to the gentleman from Delaware, Senator Bell, I, too, represent a very small part of Delaware County, which happens to be all Democratic boroughs of Delaware County adjacent to Philadelphia, and I would certainly agree with the gentleman from Delaware, Senator Bell, to give Washington back to Delaware if the gentleman would agree to give Delaware County to the State of Delaware. I would agree with that.

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—30

| | | | |
|--------------|-----------|------------|------------|
| Arlene, | Hankins, | Mellow, | Reibman, |
| Bodack, | Howard, | Messinger, | Romanelli, |
| Coppersmith, | Kury, | Murray, | Ross, |
| Early, | Lewis, | O'Pake, | Scanlon, |
| Fumo, | Lloyd, | Orlando, | Schaefer, |
| Gekas, | Loeper, | Pecora, | Smith, |
| Greenleaf, | Lynch, | Price, | Zemprelli, |
| Gurzenda, | McKinney, | | |

NAYS—20

| | | | |
|----------|------------|------------|------------|
| Andrews, | Hess, | Kusse, | Snyder, |
| Bell, | Holl, | Lincoln, | Stapleton, |
| Corman, | Hopper, | Manbeck, | Stauffer, |
| Dwyer, | Jubelirer, | Moore, | Stout, |
| Hager, | Kelley, | O'Connell, | Tilghman, |

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

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

BILL ON THIRD CONSIDERATION AMENDED

HB 140 (Pr. No. 1598) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Title, page 1, line 6, by striking out "and" and inserting a comma

Amend Title, page 1, line 6, by removing the period after "change" and inserting: and requiring annual reports.

Amend Sec. 1, page 1, line 11, by inserting after "amended": and the act is amended by adding a section

Amend Bill, page 3, by inserting between lines 19 and 20:

Section 2013. Annual Reports.—(a) An annual report shall be submitted by each State college and State-owned university to the Governor and the Appropriations and Education Committees of the Senate

and House of Representatives which shall include data for all programs of the State college or State-owned university. Each such report, to be submitted prior to October 1, shall cover the 12-month period beginning September 1 of the preceding year, and shall include for each term during the period:

(1) The following counts and distributions:

(i) The definitions and numbers of faculty members employed full-time, of faculty members employed part time, of full time students enrolled in graduate courses, of full time students enrolled in undergraduate courses, of part time students enrolled in graduate courses, and of part time students enrolled in undergraduate courses.

(ii) A distribution of faculty members employed part time by the percentage of full time employment.

(iii) Total numbers of undergraduate student credit hours, divided into lower division and upper division course levels, and of graduate student credit hours divided into three course levels—master's, first professional and doctoral.

(iv) Number of different courses scheduled by level of instruction, and the number of sections of individual instruction at each level of instruction.

(v) Number of terms scheduled and the dates thereof.

(2) Two classifications: first, a classification of faculty members or other professional employes by title including: professor, associate professor, assistant professor, instructor, lecturer, research associate, librarian and academic administrator; faculty members or other professional employes under each title to be subdivided by type of assignment: instructional or noninstructional divided into teaching and nonteaching, and each such set of faculty members or other professional employes to be further subdivided by type of employment: full time or part time; and second, a classification of faculty members and other professional employes by school and department to be subdivided by type of assignment: instructional or noninstructional divided into teaching and nonteaching, and each such set of faculty members or other professional employes to be further subdivided by type of employment: full time or part time; and the following aggregates for each subdivision in each classification:

(i) The number.

(ii) The sum of credits assigned to undergraduate classroom courses and the sum of credits assigned to graduate classroom courses taught, divided into lower division, upper division, master's, first professional and doctoral course levels.

(iii) The sum of undergraduate classroom student credit hours and the sum of graduate classroom student credit hours generated; divided into lower divi-

sion, upper division, master's, first professional and doctoral course levels.

(iv) The sum of undergraduate individual instruction student credit hours and the sum of graduate individual instruction student credit hours generated; divided into lower division, upper division, master's, first professional and doctoral course levels.

(v) Total salary paid.

(vi) Total salary paid from college or university funds.

(vii) Total salary paid from Federal funds.

(viii) Total salary paid from other funds.

(3) For each term of the period covered for each faculty member employed full time identified by school, department and title, the report shall contain an analysis of the average hours per week spent in college or university-related activities, stating specifically hours spent in undergraduate classroom contact and graduate classroom contact, hours spent in preparation, hours spent in research and hours spent in public service.

(b) In addition to the requirements of subsection (a), each report covering the 12-month period shall include for all programs of the State college or State-owned university:

(1) Minimum number of credits required for a baccalaureate degree and for a master's degree.

(2) Number of bachelor's degrees, master's degrees, first professional degrees, and doctoral degrees awarded in the three previous years and those estimated for that year.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 215 (Pr. No. 1656) — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

BILL OVER IN ORDER

SB 241 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 247 (Pr. No. 267) — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 284 (Pr. No. 286) — Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEAS—50

| | | | |
|----------|----------|-----------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 285 (Pr. No. 287) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 290 (Pr. No. 293) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

BILL OVER IN ORDER

SB 311 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 448 (Pr. No. 480) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 449 (Pr. No. 460) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator SCANLON. Mr. President, Senate Bill No. 449 is the bill which we attempted to amend on two occasions in the last two weeks in order to permit the school district of Pittsburgh and the school district of Philadelphia to be exempt from the provisions of the bill. Our arguments were that these two school districts were unique in their structure and that this particular issue was a matter of negotiation between the school boards and the labor unions representing the teachers in each of the school districts. Unfortunately, the Senate decided that Pittsburgh and Philadelphia should not be exempted from Sen-

ate Bill No. 449. The proponents of Senate Bill No. 449 were unwilling to yield on the question involving Pittsburgh and Philadelphia and, therefore I reluctantly am opposed to Senate Bill No. 449. I urge those people who supported Pittsburgh and Philadelphia on this particular issue to vote against Senate Bill No. 449, and I urge any other person who might be so inclined in the Senate to vote against Senate Bill No. 449.

Mr. President, I do not think the General Assembly should be mandating issues of this nature. This is a matter between the school districts throughout this State and the labor organizations that represent the school teachers. I think it is wrong; it is a matter of local policy and I do not think this Legislature should get involved in it. I therefore urge all members to vote "no" on Senate Bill No. 449.

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—40

| | | | |
|--------------|------------|------------|------------|
| Andrews, | Hess, | Loeper, | Price, |
| Bell, | Holl, | McKinney, | Reibman, |
| Bodack, | Hopper, | Mellow, | Romanelli, |
| Coppersmith, | Howard, | Messinger, | Ross, |
| Corman, | Jubelirer, | Moore, | Schaefer, |
| Dwyer, | Kelley, | Murray, | Stapleton, |
| Gekas, | Kusse, | O'Connell, | Stauffer, |
| Greenleaf, | Lewis, | O'Pake, | Stout, |
| Gurzenda, | Lincoln, | Orlando, | Tilghman, |
| Hager, | Lloyd, | Pecora, | Zemprelli, |

NAYS—10

| | | | |
|---------|----------|----------|---------|
| Arlene, | Hankins, | Manbeck, | Smith, |
| Early, | Kury, | Scanlon, | Snyder, |
| Fumo, | Lynch, | | |

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

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

SB 535 (Pr. No. 878) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 543 (Pr. No. 895) — Considered the third time,

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

Amend Title, page 1, line 11, by inserting after "for": the General primary and Municipal primary elections and

Amend Bill, page 1, by inserting between lines 14 and 15:

Section 1. Section 603, act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," amended December 22, 1971 (P. L. 613, No. 165), is amended to read:

Section 603. General Primary: Candidates to Be Nominated and Party Officers to Be Elected.—There shall be a General primary preceding each general election which shall be held on the [third] second Tuesday of [May] September in all even-numbered years, except in the year of the nomination of a President of the United States, in which year the General primary shall be held on the [fourth] third Tuesday of [April] June. Candidates for all offices to be filled at the ensuing general election shall be nominated at the General primary. The vote for candidates for the office of President of the United States, as provided for by this act, shall be cast at the General primary.

Section 2. Section 604 of the act, amended January 14, 1952 (1951, P. L. 1937, No. 540), is amended to read:

Section 604. Municipal Primary: Officers to be Nominated.—There shall be a Municipal primary preceding each municipal election which shall be held on the [third] second Tuesday of [May] September in all odd-numbered years. Candidates for all offices to be filled at the ensuing municipal election shall be nominated at the Municipal primary.

Amend Sec. 1, page 1, line 15, by striking out "1." and inserting: 3

Amend Sec. 1, page 1, line 15, by removing the comma after "633" and inserting: of the

Amend Sec. 1, page 1, lines 15 and 16, by striking out "of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code,""

Amend Sec. 2, page 2, line 14, by striking out "2." and inserting: 4.

Amend Sec. 3, page 3, line 2, by striking out "3." and inserting: 5.

Amend Sec. 4, page 3, line 11, by striking out "4." and inserting: 6.

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

Senator JUBELIRER. Mr. President, these amendments are

indeed far-reaching, for they change the date of our Primary Election. What these amendments do, in effect, Mr. President, are to change the Primary Election date from May to the second Tuesday of September in three out of the four years. In the fourth year, which is the Presidential Election year, it changes it from the third Tuesday of April to the third Tuesday of June.

Mr. President, I think the time has come, there has been a great deal of discussion on the ramifications of the Primary date in Pennsylvania. Basically, we are having nearly year-round election time. We file in February but we make our announcements in December or January and it is nearly ten or eleven months from before the Primary Election till the General Election.

Mr. President, I think it breeds apathy among the public, the public is tired of the long elections. The expense of the elections is phenomenal. I think this would cut down a great deal on expense. I think if we are to change the date that we can do it and do it in good stead and do it in the manner in which these amendments prescribe.

Senator FUMO. Mr. President, I ask for a roll call vote on these amendments. I would also like to say that a piece of legislation with the amount of importance that these amendments have attached to them, I think should be addressed in a separate bill and properly debated on the floor and in committee. What we are talking about here is changing the entire electoral process throughout the Commonwealth in at least three elections out of every four and I think that this is not the proper way to do this.

Mr. President, I would ask for a "no" vote on the amendments for that reason if for no other.

Senator LLOYD. Mr. President, I, too, would ask for a "no" vote based on that very principle that these amendments are not the proper vehicles for which to conduct something that so profoundly effects the people of our State as well as our governmental and political institution and structure. I believe it should be treated as a separate bill, given full hearings and an airing so the viewpoints of governmental leaders as well as those in our civic institutions would be able to comment on it. Based on that, Mr. President, I would ask for a "no" vote on these amendments.

Senator MCKINNEY. Mr. President, I, too, oppose these amendments. I can very well understand that some of the Members who are more affluent than others who have fat cats with fat checkbooks who can give them \$40,000 or \$50,000 if the Primary is to be held in September, but some of us who are less fortunate, perhaps in the class of porpoises who need at least two fund raisers, one in the spring and one in the fall to finance their campaign.

Further, Mr. President, I do not fear my opponent from getting more exposure. That seems to be some of the private reasons, that your opponent would get more exposure during that long period of time.

Mr. President, I also think that Senate Bill No. 543, which these amendments are attached to is far too important to attach these amendments. So for that reason, Mr. President, I would like my colleagues to vote against these amendments.

Senator BELL. Mr. President, I am not going to be as theoret-

ical as some of these other folks like my friend, the gentleman from Philadelphia, Senator McKinney, who takes more time to raise money, but you know you have more time to spend it too. I am going to be practical. I would like to go back to the leaders of my municipalities to see how they think on this. These are surprise amendments, and because I have not had a chance to get back to my constituency, I will vote "no."

Senator ROMANELLI. Mr. President, I agree with the concept of the gentleman from Blair, Senator Jubelirer, and I could probably support a bill that would do just what he proposes in these amendments, but I also agree with my other colleagues that it is an issue of such major proportion to the electorate of the Commonwealth of Pennsylvania, it should not be treated as amendments in this vehicle. Mr. President, I would ask my colleagues to vote against the amendments.

Senator EARLY. Mr. President, far be it for me to let pass the comment from my colleague, the gentleman from Philadelphia, Senator McKinney, about the affluency of the Senate. I think that could best be expressed by the parking lot that is out in front of the Capitol.

Senator STAUFFER. Mr. President, several Members have voiced objection to the amendments on the basis that it was not being properly presented and should be in the form of a separate bill. I think that those arguments are groundless. There is a bill that has been introduced, in fact we have had this bill in for at least the last two or three Sessions, and it has not come out of committee so that the full Membership of the Senate has not had the opportunity to vote on it in the form of a separate bill. We all know, Mr. President, that the amendment procedure is a proper procedure, there is nothing improper at all in offering an amendment as long as it relates properly to the piece of legislation.

I think these are important amendments and ones that we should consider favorably. Mr. President, I think most people who are involved in political life today will agree that the public is turned off by the political process and many pundits have wondered why. The question has arisen repeatedly why we only get thirty per cent voter turn out and we get such a lack of interest or disinterest, if you will, on the part of the voting public. I personally believe that one of the reasons for this disinterest is because our political campaigns are too long. People get fed up, they get sick and tired of hearing candidates running for office day after day, week after week, month after month; they never get any relief. I think, Mr. President, if we shorten the campaign and compact it and make the campaigns more meaningful, we will create more interest among the voting public and we will have a greater participation. I think that this is the major thing that we can gain through the adoption of the amendments proposed by the gentleman from Blair, Senator Jubelirer, and I strongly support them.

Senator HAGER. Mr. President, I think it is going to be fairly obvious, if it has not become so already, that this is not a partisan political issue but one which is looked at by each of us from our own experience. Mine is that the shortened Primary season would be a very bad mistake. Frankly, Mr. President, I have been involved in a number of Primaries now as candidate for District Attorney and for the Senate and for one other which I

am trying very hard to pay off and forget. I can tell you, Mr. President, that in all of those campaigns the issues in the Primary were far different from the issues which developed in the fall. It seems to me that one of the things we would be doing by consolidating these two into a much shorter period is to be giving a lot less importance to a Primary Election which in many areas of this State is much more of a contested election than a General Election depending upon, of course, which area of the State you are in, whether it is heavily Republican or heavily Democratic.

Mr. President, I can see myself no real valid reason for consolidating these two elections into a short period. I can see every reason for keeping them separated and for that reason I shall vote against the amendments and to retain the present electoral system in Pennsylvania.

Senator SCANLON. Mr. President, I would like to refer to these amendments as the odd man amendments and call the gentleman's attention to the fact that half of this Senate, those with the odd numbered districts, would run in June. Therefore, they would be deprived of the benefits, if any, of moving the Primary to September. Those of us in the even numbered districts who would be running in a September Primary, theoretically, according to the gentleman from Chester, Senator Stauffer, and the gentleman from Blair, Senator Jubelirer, would benefit tremendously because of this change in the law. But the poor fellows with the odd numbered districts would have to go along in the same old routine and I urge particularly those in the odd numbered districts to vote "no" and that should hang the matter up.

Senator KELLEY. Mr. President, regardless of the comments of the gentleman from Allegheny, Senator Scanlon, I would like my colleagues to know it is my intention, if these amendments are adopted, on Monday to introduce amendments that will make it applicable for every year. The arguments for that, of course, would be germane on Monday, but I agree with the comments that the gentleman made in regards to the odd numbered districts, so to speak.

Mr. President, in regards to the substance of the basic issue of moving the Primary from the spring to the fall, I only want to pass on to my colleagues that aside from considering our own elections in general election years, I saw fit to consult the Members in my local constituency who are involved in municipal elections and it was almost unanimous to the person that they preferred to have the election in the fall as a Primary Election rather than spring.

Mr. President, I do not know an issue that has more legitimate sides or legitimate reasons both pro and con than this particular issue. On the one hand, I can very reluctantly say that we should not change it because if we really believe in a two-party system, the time expiration that goes from the spring to the fall is a legitimate time for, you might say, rekindling the love nest of party Members who split during the Primary fights and it helps solidify and, therefore it becomes a stronger two-party system. On the other hand the comments of the gentleman from Chester, Senator Stauffer, are very legitimate as well in the sense that the public today with the easy communications, the public is oversaturated, they are disgusted, and they are turned off and they are apathetic. So, Mr. President—I

do not know—I am sort of caught between, in the middle, and I am listening to debate. Right now I am inclined to be supportive because, you might say, it is a little bit of a trend toward trying something new, to instill a new spirit with the constituents, to participate more actively and not be turned off and I am willing to try it.

Senator McKINNEY. Mr. President, in response to one of my colleagues, who shall remain nameless, who made a statement in this debate about the parking lot, I would like to advise you, the Administration, and all of my colleagues to get close to this gentleman because I feel that one morning you might come in and he will be your landlord, he will probably own the Capitol, it is part of the State.

Senator O'CONNELL. Mr. President, I support the amendments. It is a proposition in my opinion whose time has come. Time is money and money is a very difficult commodity to come by for many candidates who want to participate in the election process. It is also very difficult for many to participate in the election process and to be candidates because of the fact they cannot expend the time. From May to November is a long, long time. It is a difficult proposition to have many who would like to be candidates to give up of their time or to take time from their business or to take time from their families to really participate. They cannot afford it. Mr. President, I think it is time to streamline the process and to allow those people to participate. The other thing that I think it would do very effectively, it would reduce a lot of the political pollution. Mr. President, I really would support the amendments and request my colleagues to do so.

Senator ANDREWS. Mr. President, I would just like to respond to the statement made by the gentleman from Allegheny, Senator Scanlon. I cannot think of a reason less appropriate for us to vote for or against anything in this Commonwealth because it may affect half of the Members of this Body. We should be voting on behalf of all of the people of Pennsylvania and not twenty-five Members of the Senate of Pennsylvania. I am from an odd numbered district, and it is not going to help me very much, but I am certainly going to support the amendments. I think they would be to the benefit of all the people of Pennsylvania and that is who we should be representing, not ourselves.

Senator SNYDER. Mr. President, I will speak just a word in support of the amendments. I think it is worth remembering that this has been done before. About forty years ago and prior to that, the Primaries were held in September in the odd-numbered years. I think for both the gubernatorial and the presidential years they were held in the spring.

Mr. President, the principal objection one used to hear from the September Primary was from the people who handled the registration and the voting machinery. The courthouse employees objected that it gave them too brief a time to get ready for the General Election, but I think that sort of thing would be overcome if it had to be. Because the electoral process is having such troubles and arousing such apathy in the public, certainly this experiment may be worth trying.

Senator FUMO. Mr. President, I think that one of the issues that the gentleman from Lancaster, Senator Snyder, raised concerning the electoral process in clearing the machines in

those areas that have machines is a very serious issue. In Philadelphia we recently concluded our Primary Election and we do not have it certified yet. There is a distinct possibility of court challenges, in which all of the machines may be opened and recounted officially, and court challenges on up the line to find out who in fact did win that election. Mr. President, that is not unique for our area for any election. I have seen it happen in other counties in close elections where there have been strenuous recounts and we could conceivably put ourselves in the box after having the Primary and not even having the Primary Election certified in time for the General Election. That is an extremely important issue. To date we have not yet elicited any expert opinions from the various County Commissioners throughout the State as to how long it would take them to do this on a regular basis. I think more important than that, Mr. President, I would hope that my colleagues would take a look at the overall picture—the big picture if you will.

One of the most parochial arguments that I have heard but certainly the prevalent one in hearing this issue discussed in the corridors and around the building has been that it helps incumbents. I do not think, Mr. President, that that should be our goal here. I think our goal here should be helping anyone get elected to this Chamber. If we are not doing our job, we deserve to be removed. But there is that parochial selfish view among some of the Members of this Assembly that I would hope would not be exhibited in their vote today. I do not, quite frankly, see how this helps incumbents but some incumbents it does and some it does not. But I would hope again that an issue of this magnitude would be properly debated in the committee, that there would be hearings, and that people would be asked to come in and testify on these issues. We are talking about changing a major portion of our political lives in Pennsylvania in the space of a half hour, at most, of debate on this issue.

Mr. President, if for no other reason, again I would urge a “no” on these amendments and ask that we consider them properly.

Senator GEKAS. Mr. President, I too, feel a bit inadequate today in considering this piece of legislation without having had the opportunity to poll the officials who have to deliberate day by day on the question of registration with the preparation of the ballots and all the various and sundry activities required to put a Primary and a General Election into operation.

For that reason, Mr. President, I will resist the temptation to vote for a good idea at a time when I feel ill-prepared to do so.

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

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

Senator JUBELIRER. I will, Mr. President.

Senator KELLEY. Mr. President, assuming the amendments offered by the gentleman from Blair, Senator Jubelirer, are adopted and they become law, what is the effect and relationship to independent candidates being able to file?

Senator JUBELIRER. Mr. President, I cannot answer the question. I do not know what effect it would have on independent candidates. It very well may mean that we would have to amend that section of the Election Code as well, Mr. President,

and I am prepared to join with the gentleman from Westmoreland, Senator Kelley, in doing that if these pass.

Senator KELLEY. It is my understanding, Mr. President, that the time for circulation for petitions for independent candidates is some sixty days and we would not be able to afford that because of the large number of signatures. It seems to me the effect, therefore, would be to complicate the situation.

Senator JUBELIRER. To what, Mr. President?

Senator KELLEY. Mr. President, to complicate the situation.

Senator MESSINGER. Mr. President, in thinking about this, I could not help but think of the last election and to remind the Republicans that had we had a September Primary and had Pete Flaherty been nominated, he probably would be Governor today, because he did not start going down in the polls until very close to the election.

(Laughter.)

Senator GURZENDA. Mr. President, I would just like to point out to the Senate that in those counties where there is a paper ballot in a close election, you may have a lot of difficulty deciding who the winner is, especially in a recount which takes sometimes from two to three months. So, I would like you to reconsider that before you vote.

Senator JUBELIRER. Mr. President, I am delighted that we provoked some good debate on an issue which I think is very important. I think it is time, Mr. President, we try something different. I do not think there is any harm in trying something that, perhaps, has not been done for a number of years. Certainly there are arguments on both sides of the issue, but I think the overriding argument is it is a long, long season and it is very, very costly.

We can point to the fact that there are in the odd numbered districts June instead of September, but if you want to point to the fact now is that those same people in the odd numbered districts run in an April Primary and the even numbered districts they run in a May Primary. So there is a difference right now.

Yes, Mr. President, there are many pros and cons on an issue like this, and yes, we would have to be trying something different. Perhaps we would complicate matters until we got it straightened out, but I think there is an opportunity for us here today on these amendments. I would be delighted if I had the opportunity to get a bill out of committee and have it debated like everything else, but that was not the case in this particular situation. This is the proper process to do it.

Mr. President, I think we can make the necessary changes to the Election Code if we decide, if the General Assembly decides this is the route it wants to go. I think it is something well worth trying and I think just because it is different does not mean it is wrong. I think if we get the opportunity to do what I think is in other States, and there are other States who have later primaries than we have, they have found it, to my knowledge, to be working well. I have talked with various County Commissioners. At one time, when I first came in here, I introduced this bill in 1975, I believe the County Commissioners at that time were opposed to it. I do not believe that is the situation now. I believe their thinking has changed significantly.

Yes, Mr. President, it is a change. I do not know whether, it is

going to help an incumbent, an insurgent or whatever. I think it is good for Pennsylvania, I think it will help get more people to the polls, it will create more interest, it will cut down costs, and I think it is good legislation. I urge a "yes" vote.

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

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

Senator JUBELIRER. I will, Mr. President.

Senator FUMO. Mr. President, does the gentleman from Blair, Senator Jubelirer, know how long it takes to print ballots for an election?

Senator JUBELIRER. Mr. President, I have never been on an Election Board, so my answer is no, I cannot tell you specifically how long it takes.

Senator FUMO. Mr. President, does the gentleman from Blair, Senator Jubelirer, have any idea how long it takes to adjust voting machines back to zero after the votes have been recorded?

Senator JUBELIRER. Mr. President, I know none of the answers. The gentleman from Philadelphia, Senator Fumo, I am sure, has the answers. I am sure this has been done in other States, including the State of New York, and if they can do it, we can do it.

Senator FUMO. Mr. President, does the gentleman from Blair, Senator Jubelirer, then expect the Senate to act in this way sight unseen and just plunge into this thing and effect it for the next Primary Election?

Senator JUBELIRER. Mr. President, I think it is well time that Pennsylvania makes a change. If that means plunging into something as the gentleman from Philadelphia, Senator Fumo, says, I would respectfully disagree with that phrase. I think this has been a subject of discussion for many years, both by this Body and by the editorial writers of the papers around the State of Pennsylvania who have called this a worthwhile effort to try in a reasonable reform to make an attempt. I do not think there is anything wrong with attempting to make a change of this nature.

Senator FUMO. Mr. President, does the gentleman from Blair, Senator Jubelirer, have any idea how long it takes to certify an election after a Primary?

Senator JUBELIRER. Mr. President, I cannot answer the question of the gentleman from Philadelphia. I have never served on an Election Board; I have never been involved in such a process, but, again, it has been done in other States as large as Pennsylvania and larger, and I see no reason why it cannot be done here. We can do anything we want if we make up our minds to at least try it.

Senator FUMO. Mr. President, can the gentleman from Blair, Senator Jubelirer, tell us what would happen in a close election, in a Primary in a district, and if there were a court challenge if that were not certified before November, what would we do then, recognizing, of course, that we can do anything? I take issue with that, but—

Senator JUBELIRER. Mr. President, there are many hypotheticals which we could get into. I am sure I have been involved in a close election as well as many of the gentlemen here.

I see my good friend, the gentleman from Cambria, Senator Coppersmith, across the way, and there are many others, I am sure, who have been involved in narrow elections. I think it is worth a try, and I do not think changing it from May to September is going to make that significant a difference in the overwhelming number of elections that we have in the Commonwealth. Certainly there are going to be exceptions, but I think in the overall run the bottom line is we have provided good legislation, it is a good reform and why not try it.

Senator KELLEY. Mr. President, I ask unanimous consent to speak for a third time.

The PRESIDENT. The Chair hears no objections. The gentleman may proceed.

Senator KELLEY. Mr. President, in my initial remarks on these amendments, I said I did not think there was an issue that had more legitimate sides, and I was uncertain as to how I felt. After listening to the debate and being cognizant of the fact that the tenor of time that is necessary for setting up machines, with many areas of the Commonwealth having paper ballots, taking note of the close elections in many cases, even Statewide, as we just had in this last Primary, granting court time for appeals and satisfying who ultimately is the nominee of the given party, I really do not feel that September affords us an adequate amount of time to have an orderly process from a Primary to a General Election. On the basis of all the debate, Mr. President, I am inclined to vote "no."

And the question recurring,

Will the Senate agree to the amendments?

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

YEAS—18

| | | | |
|----------|------------|------------|------------|
| Andrews, | Holl, | Moore, | Snyder, |
| Corman, | Hopper, | O'Connell, | Stapleton, |
| Dwyer, | Jubelirer, | Price, | Stauffer, |
| Early, | Kusse, | Schaefer, | Tilghman, |
| Hess, | Manbeck, | | |

NAYS—31

| | | | |
|--------------|----------|------------|------------|
| Arlene, | Hager, | Lynch, | Reibman, |
| Bell, | Hankins, | McKinney, | Romanelli, |
| Bodack, | Kelley, | Mellow, | Ross, |
| Coppersmith, | Kury, | Messinger, | Scanlon, |
| Fumo, | Lewis, | Murray, | Smith, |
| Gekas, | Lincoln, | O'Pake, | Stout, |
| Greenleaf, | Lloyd, | Orlando, | Zemprelli, |
| Guizenda, | Loeper, | Pecora, | |

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

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

On the question,

Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 602 (Pr. No. 634) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

SB 603 (Pr. No. 635) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|----------|----------|----------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

HB 643 (Pr. No. 1504) — 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 BELL. Mr. President, once again I rise on the floor of the Senate to vote against a capital construction bill. I note House Bill No. 643 will appropriate a little bit more than \$71 million for capital construction projects to the Department of Transportation to be paid for from the sale of bonds. This is now the same department that refuses to come to the Legislature for authorization for the construction of highways with the proceeds from the sale of bonds.

Mr. President, I am not going to hit the merits of House Bill No. 643, although I think it is very poorly written coming, apparently, from the Department of Transportation to the House of Representatives. For instance, the bill says some of the projects will have a life of twelve years, some fifteen years and some thirty years. Yet, House Bill No. 643 authorizes all the bonds be issued for a maturity up to thirty years. This does not conform to Article VIII, Section 7(b) of the Constitution, which states that: "All debt incurred for capital projects shall mature within a period not to exceed the estimated useful life. . ." How in the name of God can they justify a bus radio system with bonds issued for a term of thirty years? I also notice, Mr. President, this bond issue comes pretty close to building roads because apparently the people that run that department and the Administration feel it is all right to build parking lots, parking facilities with bond money but not highways. This is tragic.

Mr. President, I have in my possession some figures. Next year, fiscal year 1979-80, there will be \$198 million, more or less, required for bond service from the Department of Transportation. Twenty years hence, only \$84 million is required for bond service for the Department of Transportation and twenty-five years hence, only \$17 million. Mr. President, this means the road is open for the Administration to build highways with bond money because the bonds will not mature before about twenty to twenty-five to thirty years from now. In other words, we have the money right in front of us. We can build these roads today. We can put Pennsylvanians to work today build-

ing roads. We can bring completion of critical highways like I-95 down in Philadelphia, which stops dead with nothing but pillars sticking in the sky. Right down here in Dauphin County you have piers built for a bridge but no deck on it. We can put Pennsylvanians to work rebuilding our roads and rebuilding our bridges with bond monies.

Governor Thornburgh went to the Pennsylvania AFL-CIO Conference down in Philadelphia last week and told the people there he intends to put 55,000 Pennsylvanians to work building roads. Then in the next sentence the Governor says, "But you have to build the roads out of current revenues." Mr. President, I say that the gentleman should change his attitude, take the advice of some people that have been around here a little while and realize you build roads with capital funds. If you can build a parking lot for Middletown, Dauphin County, with thirty year bonds, you surely can put money into completing our interstate highway system.

Mr. President, here is what is going to happen if we do not do it this way. My source of this information is the Pennsylvania AAA. They say, "On October 1, 1979, unless Pennsylvania makes \$40 million of money available we are going to lose \$268 million of Federal funds." We are not now too far from October 1, 1979. Also, the Pennsylvania AAA says that we have had no new construction of highways since July, 1977. In September, 1978, there were suspended State funded projects which included 522 highway and 40 bridge projects.

Mr. President, the Delaware Valley Planning News for May, 1979, which is put out by the Delaware Valley Planning Commission, congratulates the State of New Jersey because they are committing \$245 million for a four-year project to build State highways and bridges. So, here we come to another situation. It is all right with this present Secretary of Transportation and the Administration to use bond money to build parking facilities, to build railroad stations, but it is not all right to build highways and bridges.

I will tell you, Mr. President, in my district now we need highways, we need bridges built and reconstructed. That is why I am voting "no," and I certainly hope somebody in PennDOT can hear me make this speech and in case he does not, I am going to send him a copy of it. Also, I certainly hope the Governor can hear me.

Senator HAGER. Mr. President, in response to the gentleman from Delaware, Senator Bell, although the Governor is still called that, and I hope that the gentleman heard you, PennDOT is no more. I am told it is now the Department of Transportation.

SENATOR HAGER TO VOTE FOR SENATOR STAUFFER

Senator HAGER. Mr. President, Senator Stauffer has been called to his office on legislative duties, having to do with a contaminating spill from an industry in his district. I shall be voting the gentleman and ask for a legislative leave for Senator Stauffer for the balance of today's Session.

The PRESIDENT. The Chair hears no objection and the leave is granted.

And the question recurring,

Shall the bill pass finally?

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

YEAS—47

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

NAYS—3

| | | |
|-------|-------|---------|
| Bell, | Hess, | Kelley, |
|-------|-------|---------|

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

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

HB 645 (Pr. No. 1073) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

| | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

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

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

BILL OVER IN ORDER

SB 763 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 144, HB 160, 177, 178, SB 184, 235, 238 and 271 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

BILL ON SECOND CONSIDERATION AMENDED

SB 298 (Pr. No. 301) — The bill was considered.

On the question, Will the Senate agree to the bill on second consideration? Senator KURY offered the following amendment:

Amend Sec. 3, page 26, line 4, by striking out "1979" and inserting: 1982

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

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

Senators KURY and O'CONNELL offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

- Amend Sec. 1 (Sec. 4112), page 8, line 23, by striking out "eight" and inserting: ten
Amend Sec. 1 (Sec. 4112), page 8, line 27, by striking out "four" and inserting: six
Amend Sec. 1 (Sec. 4112), page 8, line 29, by striking out "and" and inserting a comma
Amend Sec. 1 (Sec. 4112), page 8, line 29, by inserting after "electricity,": and solar and nuclear energy,

On the question, Will the Senate agree to the amendments? They were agreed to.

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

It was agreed to. Ordered, To be transcribed for a third consideration.

BILL REREFERRED

HB 308 (Pr. No. 1657) — Upon motion of Senator ZEMPRELLI, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 323, HB 334 and 405 — Without objection, the bills were passed over in their order at the request of Senator HAGER.

BILL ON SECOND CONSIDERATION

SB 411 (Pr. No. 876) — Considered the second time and agreed to, Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 456 — Without objection, the bill was passed over in its

order at the request of Senator HAGER.

BILL ON SECOND CONSIDERATION AMENDED

HB 486 (Pr. No. 1503) — The bill was considered.

On the question, Will the Senate agree to the bill on second consideration? Senators TILGHMAN and SMITH offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Title, page 1, line 25, by striking out "AND" and inserting a comma

Amend Title, page 1, line 26, by removing the period after "COLLEGE" and inserting: , and for steam system renovations at Mansfield State College.

Amend Sec. 2, page 3, line 6, by striking out "A CLAUSE" and inserting: clauses

Amend Sec. 2, page 3, line 12, by striking out "38,563,066" and inserting: 39,285,066

Amend Sec. 2, page 3, by inserting between lines 18 and 19:

Table with 2 columns: Description, Amount. Row 1: (4.2) Renovation steam distribution system: Mansfield State College. 722,000. Row 2: (Base Construction Cost) 602,000.

Amend Sec. 3, page 3, line 19, by striking out "\$3,801,031" and inserting: \$4,523,031

Amend Sec. 3, page 3, line 22, by striking out "\$2,963,225" and inserting: \$3,565,225

On the question, Will the Senate agree to the amendments? They were agreed to.

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

It was agreed to. Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 568 and 595 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

RECESS

Senator ZEMPRELLI. Mr. President, before considering further bills, I have been asked, on behalf of the gentleman from Northumberland, Senator Kury, to call a meeting of the Committee on Consumer Affairs off the floor for some important Senate committee business.

The PRESIDENT. There will be a brief meeting in the Minority caucus room of the Committee on Consumer Affairs immediately, and for that purpose the Chair will declare the Senate briefly in recess.

AFTER RECESS

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

RECESS

Senator ZEMPRELLI. Mr. President, now that the Committee on Consumer Affairs has recessed its meeting, it is important that there be a meeting of the Committee on Rules and Executive Nominations forthwith in the Rules Committee room for the conduct of a very short order of business. I would ask all Members to be present. I would also, for the information of the Senate, Mr. President, advise the Members of the Democratic Policy Committee that there will be a Policy Committee meeting immediately after the Session is concluded in the office of the President pro tempore.

The PRESIDENT. For the purpose of an immediate meeting of the Committee on Rules and Executive Nominations at the rear of the Chamber, the Chair declares the Senate in recess.

AFTER RECESS

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

GUESTS OF SENATOR W. THOMAS ANDREWS PRESENTED TO SENATE

Senator ANDREWS. Mr. President, I would like to introduce to the Senate of Pennsylvania Girl Scout Troop No. 417 from Mount Jackson. They are sitting in the gallery with their leaders at present. I wish the Senate would extend to them our usual warm welcome.

The PRESIDENT. Would Girl Scout Troop No. 417 please rise and we will ask the Senate to give them its normal warm and vivacious welcome.

(Applause.)

SECOND CONSIDERATION CALENDAR RESUMED

BILL ON SECOND CONSIDERATION

SB 640 (Pr. No. 682) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 649 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILL ON SECOND CONSIDERATION

SB 682 (Pr. No. 724) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 696, 727, 756, 762, HB 780 and SB 815 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

HOUSE CONCURRENT RESOLUTION NO. 25, CALLED UP

Senator ZEMPRELLI, without objection, called up from page

9 of the Calendar, House Concurrent Resolution No. 25, entitled:

General Assembly appoint bipartisan committee investigate pollution of Lake Erie.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION NO. 25

Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 25.

The motion was agreed to and the resolution was concurred in.

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE BOARD OF TRUSTEES OF CHEYNEY STATE COLLEGE

May 10, 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 Francis J. Bagnell, 905 Stony Lane, Gladwyne 19035, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Cheyney State College, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Charles Leon Lanier, Philadelphia, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF CHEYNEY STATE COLLEGE

May 10, 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 James A. Hughes, 258 South Saint Bernard Street, Philadelphia 19139, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Board of Trustees of Cheyney State College, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Edward S. Lee, Philadelphia, whose term expired.

DICK THORNBURGH.

DISTRICT JUSTICE

May 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 Lee Robert Lehman, Campbeltown 17010, Lebanon County, Forty-eighth Senato-

rial District, for appointment as District Justice in and for the County of Lebanon, Class 3, District 05, to serve until the first Monday of January, 1982, vice T. C. Reinhard, Palmyra, resigned.

Re-Submitted Correct Term

DICK THORNBURGH.

DISTRICT JUSTICE

May 25, 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 Earl H. Matz, Jr., R. D. #2, Box 70, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as District Justice in and for the County of Schuylkill, Class 3, District 08, to serve until the first Monday of January, 1980, vice Ray A. Lengle, Tremont, retired.

DICK THORNBURGH.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator FUMO.

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

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

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

NOMINATIONS TAKEN FROM THE TABLE

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

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—50

- | | | | |
|--------------|------------|------------|------------|
| 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, | Lloyd, | Price, | Zemprelli, |
| Hager, | Loeper, | | |

NAYS—0

A constitutional majority of all the Senators having voted

"aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

GUEST OF SENATOR CLARENCE F. MANBECK PRESENTED TO SENATE

Senator MANBECK. Mr. President, and colleagues of the Senate, I would like to take this opportunity to thank you for the prompt consideration of the District Justice for Lebanon County. We have been without a District Justice for some time, and we have with us today, in the gallery, the candidate which has just been confirmed as Justice for Lebanon County, Mr. Lee Lehman. He has worked hard and has completed his educational program and I am sure he will do an excellent job. I would ask that you recognize and introduce Mr. Lee Lehman.

The PRESIDENT. Will Mr. Lehman please rise and will the Senate please give him its normal warm welcome?

(Applause.)

Senator MANBECK. Mr. President, he has warned me that those with heavy feet should not come to visit him.

UNFINISHED BUSINESS

REPORTS FROM COMMITTEE

Senator McKINNEY, from the Committee on State Government, reported, as amended, SB 357 and HB 1261.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to the Reverend and Mrs. John E. Kiffer by Senator Kusse.

Congratulations of the Senate were extended to the Courier-Express Publishing Company by Senator Corman.

Congratulations of the Senate were extended to Dana Perno by Senator Lincoln.

Congratulations of the Senate were extended to Sandra Durr and to Robert Brill by Senator Lloyd.

Congratulations of the Senate were extended to Mr. and Mrs. Bert Volk, Mr. and Mrs. Carl L. Holder, Mr. and Mrs. Robert W. Clark, Mr. and Mrs. Ray Welch and to Mr. and Mrs. Bert Pawlaczyk by Senator Orlando.

Congratulations of the Senate were extended to Doctors Claus and Charlotte Jordon by Senator Reibman.

Congratulations of the Senate were extended to the Very Reverend John Waschak by Senator Romanelli.

Congratulations of the Senate were extended to Mr. and Mrs. Ira Kiger, Mr. and Mrs. Ralph Anderson, Sr., Mr. and Mrs. John Mrenak, Mr. and Mrs. Fred G. Postlethwait, Mr. and Mrs. William Evans, Mr. and Mrs. George Calcutt, Mr. and Mrs.

Sheldon S. Hough and to Mr. and Mrs. Robert Seybert by Senator Stout.

Congratulations of the Senate were extended to Mayor Robert G. Reid of Middletown by Senators Gekas and Hager.

Congratulations of the Senate were extended to Mr. and Mrs. Richard M. Irvin by Senator Greenleaf.

Congratulations of the Senate were extended to the Pennsylvania Golden Gloves Boxing Team by Senators Loeper and Bell.

Congratulations of the Senate were extended to the Leonardo Da Vinci Lodge No. 250 by Senator Zemprelli.

Congratulations of the Senate were extended to Orland A. Kipp by Senator Coppersmith.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Vincent Pisano by Senator Ross.

Condolences of the Senate were extended to the family of the late Lawrence C. Machmer by Senator O'Pake.

BILLS ON FIRST CONSIDERATION

Senator ZEMPRELLI. 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 237, 307, 337, 357, 629, 693, 783 and HB 1261.

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

PETITIONS AND REMONSTRANCES

Senator JUBELIRER. Mr. President, I do not think we should really adjourn this Session of the Senate today without mentioning in this great Body the courage that all America witnessed as we learned today of the death of John Wayne. I think every American was deeply touched by his tremendous courage, and, if you will, the "True Grit" of a great American patriot.

Whether you agreed or disagreed with the political philosophy of John Wayne, I do not think anybody can say that no one loved America more than this gentleman. I think as not only all America but also all the world watched the courage and the determination of a man who said, "I think I got the 'Big C' licked," in 1969 when he did win an Academy Award for his performance in "True Grit."

When everybody thought he had it licked, it came up to haunt him again. As I grew up and watched the early John Wayne movies and watched and had my children have the same opportunity to do so, and saw the tremendous fight of a man who loved life so much, I just think I felt like commenting that each and every one of us has been touched in some way by his life, by being able to view him on films and saying to ourselves

America was a better place to live because John Wayne lived too.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 13, 1979

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| 10:00 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing to consider the oversight with the Department of Public Welfare) | Senate Majority Caucus Room |
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FRIDAY, JUNE 15, 1979

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| 10:00 A.M. LAW AND JUSTICE (Public Hearing on Senate Bills No. 205, 262 and 549) | Gold Room, Allegheny County Court House, 436 Grant St., Pittsburgh, PA |
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MONDAY, JUNE 18, 1979

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|--|-----------------------------|
| 11:00 A.M. STATE GOVERNMENT (to consider Senate Bills No. 260, 261, 487, 650, 701, 753, 764, 767, 772, 773, 792; House Bills No. 31 and 713) | Senate Majority Caucus Room |
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| 1:00 P.M. TRANSPORTATION (to consider Senate Bills No. 490, 491, 517, 703; House Bills No. 369, 649, 650 and 1009) | Senate Majority Caucus Room |
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| 2:00 P.M. LAW AND JUSTICE (to consider Senate Bills No. 86, 395 and 765) | Senate Majority Caucus Room |
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TUESDAY, JUNE 19, 1979

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|---|-----------------------------|
| 12:00 Noon PROFESSIONAL LICENSURE (to consider Senate Bill No. 507) | Senate Majority Caucus Room |
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WEDNESDAY, JUNE 20, 1979

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| 9:30 A.M. CONSUMER AFFAIRS (Public Hearing on the nomination of Walter W. Cohen as Consumer Advocate) | Senate Majority Caucus Room |
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THURSDAY, JUNE 21, 1979

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|-----------------------------|-----------------|
| 9:30 A.M. PUBLIC HEALTH AND | Senate Majority |
|-----------------------------|-----------------|

WELFARE (Public Hearing on Senate Bills No. 175 and 363) Caucus Room

MONDAY, JUNE 25, 1979

11:00 A.M. LOCAL GOVERNMENT Senate Minority
(agenda to be announced Caucus Room
at a later date)

THURSDAY, JUNE 28, 1979

10:30 A.M. URBAN AFFAIRS AND Senate Majority
HOUSING (Public Hearing Caucus Room
on Senate Bills No. 50,
705, 706 and 707)

WEDNESDAY, JULY 11, 1979

9:30 A.M. PUBLIC HEALTH AND Senate Majority

WELFARE (Public Hearing on Senate Bill No. 183) Caucus Room

The SECRETARY. The Committee of Conference on Senate Bill No. 499 will meet immediately upon adjournment in the Majority caucus room.

ADJOURNMENT

Senator ZEMPRELLI. Mr. President, I move that the Senate do now adjourn until Monday, June 18, 1979, at 3:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 4:13 p.m., Eastern Daylight Saving Time.