

Legislative Journal

THURSDAY, JUNE 28, 1979

Session of 1979

163rd of the General Assembly

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SENATE

THURSDAY, June 28, 1979.

The Senate met at 1:30 p.m., Eastern Daylight Saving Time.

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

PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK GRUELL, JR.:

O God, deliver us from a low appraisal of ourselves. Grant that we may think of ourselves as sons and daughters of Thine, thus learn to live in brotherhood. Forgive us for our narrowness of vision and contentment with low desires and low aims. Grant to these Senators a clearer understanding of the divine possibilities for growth and development. Help us "to show ourselves approved unto God, workmen that needth not be ashamed." Make clear Thy plan and purpose for us and strengthen us as we in these trying times, dedicate the powers of mind, heart and hand to thee. In the Name of the Master of us all, we pray. 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.

LEAVE OF ABSENCE

Senator ZEMPRELLI asked and obtained leave of absence for Senator SCANLON, for today's Session, for medical reasons.

SENATOR ZEMPRELLI TO VOTE FOR SENATOR O'PAKE

Senator ZEMPRELLI. Mr. President, for a short period of time pending the arrival of Senator Michael O'Pake, I am requesting that he have a legislative leave of absence.

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 142**, which was referred to the Committee on Education.

He also presented for concurrence **HB 494**, which was referred to the Committee on Judiciary.

He also presented for concurrence **HB 777**, which was referred to the Committee on Rules and Executive Nominations.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate **SB 568**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILLS INTRODUCED AND REFERRED

Senator GREENLEAF presented to the Chair **SB 868**, entitled:

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; . . .," further providing for the insurance coverage of the dependents of an insured.

Which was committed to the Committee on Insurance.

Senators KUSSE, DWYER and LYNCH presented to the Chair **SB 869**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for driving without a valid driver's license.

Which was committed to the Committee on Transportation.

Senators KUSSE and LYNCH presented to the Chair **SB 870**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special speed limitations in construction and maintenance areas.

Which was committed to the Committee on Transportation.

Senators ROSS, LYNCH and ROMANELLI presented to the Chair **SB 871**, entitled:

An Act amending the act of July 20, 1968 (P. L. 560, No. 218), entitled "Capital Budget Act for the 1968-1969 Fiscal Year," adding an additional project for the acquisition of original movable furniture and equipment for a laboratory on the Beaver Campus of the Pennsylvania State University.

Which was committed to the Committee on Appropriations.

Senator GEKAS presented to the Chair **SB 872**, entitled:

An Act amending the act of May 31, 1911 (P. L. 468, No. 193), entitled "State Highway Department Law," further providing for two-way traffic on L.R. 1 situate in Susquehanna Township, Dauphin County.

Which was committed to the Committee on Transportation.

Senator GREENLEAF presented to the Chair **SB 873**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for weights of vehicles and for penalties for weight violations.

Which was committed to the Committee on Transportation.

Senators DWYER, LOEPER, REIBMAN and PRICE presented to the Chair **SB 874**, entitled:

An Act creating the Department of Human Services and transferring to it the powers and duties of the Department of Public Welfare; providing that the Secretary of Public Welfare shall be ex officio, the Secretary of Human Services; and transferring personnel, appropriations, allocations, contracts, agreements, equipment, files, obligations and other material from the Department of Public Welfare to the Department of Human Services.

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

Senators DWYER, KUSSE, CORMAN, MANBECK, GREENLEAF, MOORE and REIBMAN presented to the Chair **SB 875**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the annual renewal of registrations and drivers' licenses by the county treasurer acting as agent of the department, making appropriations and repealing certain provisions.

Which was committed to the Committee on Transportation.

Senators HAGER, MESSINGER, KUSSE, MANBECK, BELL, HOLL, GEKAS, PRICE, COPPERSMITH, KELLEY, STAUFFER, O'CONNELL, MOORE and ROSS presented to the Chair **SB 876**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," eliminating provisions for cross-filing.

Which was committed to the Committee on State Government.

Senators STOUT and ROSS presented to the Chair **SB 877**, entitled:

An Act making an appropriation to the United Cerebral Palsy of Southwest Pennsylvania, Washington.

Which was committed to the Committee on Appropriations.

Senator GREENLEAF presented to the Chair **SB 878**, entitled:

An Act repealing section 8127 of Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, relating to garnishment of wages for debts.

Which was committed to the Committee on Judiciary.

He also presented to the Chair **SB 879**, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," changing the penalties for securing assistance through false statements.

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

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 223 (Pr. No. 856) — Senator ROSS. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 223.

On the question,

Will the Senate agree to the motion?

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

YEAS—48

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 565 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS OVER IN ORDER

HB 1327 and **1328** — Without objection, the bills were passed over in their order at the request of Senator ROSS.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1329 (Pr. No. 1767) — 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—48

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

NAYS—0

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

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

PREFERRED APPROPRIATION BILL OVER IN ORDER TEMPORARILY ON FINAL PASSAGE

HB 1330 (Pr. No. 1491) — Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

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

Senator SMITH. I will, Mr. President.

Senator ANDREWS. Mr. President, I would simply ask the gentleman why this particular board is receiving such a sizable increase in its appropriation this year. It is an increase of about 25 per cent. The other retirement boards are receiving much more modest increases.

Senator SMITH. Mr. President, let me look at the bill and I will relate it to the gentleman in a moment. Could we put it aside for a moment? I have to get our records from downstairs. There was a reason. I cannot recall from just looking at the explanation.

Senator ANDREWS. Mr. President, I request that House Bill No. 1330 go over in order temporarily.

The PRESIDENT. Without objection, the bill will go over temporarily on final passage.

PREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1331 (Pr. No. 1492) — Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

HB 1333 (Pr. No. 1494) — Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 25 (Pr. No. 25) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

HB 31 (Pr. No. 1834) — 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—48

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

NAYS—0

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

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

BILL OVER IN ORDER AND RECOMMITTED

SB 144 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 184 (Pr. No. 877) — 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—34

Arlene,	Holl,	McKinney,	Reibman,
Coppersmith,	Howard,	Mellow,	Romanelli,
Corman,	Jubelirer,	Messinger,	Ross,
Early,	Kelley,	Murray,	Schaefer,
Fumo,	Lewis,	O'Pake,	Smith,
Greenleaf,	Lincoln,	Orlando,	Snyder,
Gurzenda,	Lloyd,	Pecora,	Stapleton,
Hankins,	Lynch,	Price,	Zemprelli,
Hess,	Manbeck,		

NAYS—14

Andrews,	Gekas,	Loeper,	Stauffer,
Bell,	Hager,	Moore,	Stout,
Bodack,	Hopper,	O'Connell,	Tilghman,
Dwyer,	Kusse,		

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 298 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

BILL ON THIRD CONSIDERATION AMENDED

HB 308 (Pr. No. 1657) — Considered the third time,

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

Amend Sec. 103, page 6, line 5, by inserting after "corporation": (including associations, joint stock companies and insurance companies)

Amend Bill, page 12, by inserting after line 30:
Section 405. Health systems agencies; election of directors.

(a) Some or all of the members of the governing body of health systems agencies in this Commonwealth shall be elected at general election; provided that before this section shall become effective:

(1) the commission herein established shall study the advantages and disadvantages of having members

so elected, hold public hearings on the matter and report to the Governor their recommendations by June 30, 1980, which if favorable, shall include rules and regulations providing for such elections in compliance with the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code"; and

(2) the Governor shall approve the election of some or all such members and approve or modify the rules and regulations for such elections.

(b) The commission herein established shall consist of the Secretary of Health, as chairman, a Senator from each party to be appointed by the President pro tempore of the Senate, a Representative from each party to be appointed by the Speaker of the House of Representatives, and four members to be appointed by the Governor.

Amend Sec. 502, page 13, line 20, by striking out "de novo"

Amend Sec. 502, page 13, by inserting between lines 22 and 23:

(2) To hear upon petition objections to published regulations, criteria, or standards of the health systems agency or department as to the policies therein set forth and where appropriate to request the promulgating agency to reconsider such policies.

Amend Sec. 502, page 13, line 23, by striking out "(2)" and inserting: (3)

Amend Sec. 502, page 13, line 30, by striking out "(3)" and inserting: (4)

Amend Sec. 502, page 14, line 2, by striking out "(4)" and inserting: (5)

Amend Sec. 505, page 15, line 4, by inserting after "affected": and in the Pennsylvania Bulletin

Amend Sec. 505, page 15, line 5, by inserting a period after "hearing"

Amend Sec. 505, page 15, lines 5 and 6, by striking out "and in the Pennsylvania" in line 5, and all of line 6

Amend Sec. 506, page 15, lines 11 and 12, by striking out "de novo, but" and inserting: commenced within 30 days of the appeal and

Amend Sec. 506, page 15, by inserting between lines 19 and 20:

(b) The hearing board shall be bound by the duly promulgated regulations of the department and shall give due deference to the expertise of the health systems agencies and the department in reaching their decisions. It shall receive any evidence as to challenges of the authority of the department or the reasonableness of the criteria or regulations used in the review of the application for the sole purpose of creating a record for any subsequent appeal to court.

Amend Sec. 506, page 15, line 20, by striking out "(b)" and inserting: (c)

Amend Sec. 506, page 15, line 27, by striking out "(c)" and inserting: (d)

Amend Sec. 507, page 15, line 30, page 16, lines 1 through 13, by striking out all of said lines

Amend Sec. 508, page 16, line 14, by striking out "508" and inserting: 507

Amend Sec. 707, page 25, line 12, by striking out "for cause shown"

Amend Sec. 707, page 25, line 14, by removing the period after "board" and inserting: but such approval shall not be granted as to hospitals except upon cause shown.

Amend Sec. 802, page 29, line 20, by striking out "as possible"

Amend Sec. 802, page 30, line 12, by striking out "70" and inserting: 60

Amend Sec. 802, page 30, lines 15 through 17, by striking out "If the health systems agency recommendation or" in line 15, all of line 16, and "favorably recommended by the health systems agency." in line 17

Amend Sec. 803, page 32, line 19, by striking out "and any person directly affected"

Amend Sec. 803, page 32, lines 29 and 30, by striking out "the applicant, persons requesting the hearing and any objecting parties." and inserting: directly affected persons.

Amend Sec. 805, page 34, lines 29 and 30; page 35, lines 1 and 2, by striking out "If the health systems agency shall fail to file its" in line 29, all of line 30; page 34, and all of lines 1 and 2, page 35

Amend Sec. 807, page 35, lines 12 and 13, by striking out "health services being reviewed are consistent with or compatible to" and inserting: relationship of the application with

Amend Sec. 807, page 35, line 14, by removing the period after "plan" and inserting: has been considered.

Amend Sec. 807, page 36, lines 23 through 30; page 37, lines 1 through 3, by striking out all of said lines on said pages and inserting:

(12) The special needs and circumstances of health maintenance organizations shall be considered to the extent required by Federal law and regulation now or hereafter enacted or adopted.

Amend Sec. 807, page 37, line 8, by inserting before "Consideration": (14)

Amend Sec. 807, page 37, line 8, by striking out "the above criteria shall include"

Amend Sec. 807, page 37, line 12, by inserting after "served.": This provision is not intended to create duplicative systems of care.

Amend Sec. 807, page 38, lines 25 through 30; page 39, lines 1 through 3, by striking out all of said lines on said pages

Amend Sec. 809, page 39, line 18, by inserting after "act.": and pursuant to an agreement with the United States Department of Health, Education and Welfare,

Amend Sec. 1002, page 41, line 26, by striking out "due"

Amend Sec. 1005, page 43, lines 20 and 21, by striking out both of said lines

Amend Sec. 1005, page 43, line 22, by striking out "(d)" and inserting: (c)

Amend Sec. 1006, page 43, line 25, by striking out "in six months." and inserting: October 1, 1979.

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 third consideration, as amended?

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

Amend Title, page 1, line 6, by striking out "licensure and"

Amend Sec. 103, page 5, lines 4 and 5, by striking out both of said lines

Amend Sec. 103, page 5, lines 29 and 30, by striking out both of said lines

Amend Sec. 201, page 7, line 30, by striking out "health care institutions"

Amend Sec. 201, page 8, lines 6 through 17, by striking out all of lines 6 through 16 and "(6)" in line 17, and inserting: (4)

Amend Sec. 201, page 9, line 1, by striking out "(7)" and inserting: (5)

Amend Sec. 201, page 9, line 3, by striking out "(8)" and inserting: (6)

Amend Sec. 201, page 9, line 6, by striking out "(9)" and inserting: (7)

Amend Sec. 201, page 9, line 10, by striking out "(10)" and inserting: (8)

Amend Sec. 201, page 9, line 12, by striking out "(11)" and inserting: (9)

Amend Sec. 201, page 9, line 24, by striking out "12" and inserting: (10)

Amend Sec. 201, page 9, line 29, by striking out "13" and inserting: (11)

Amend Sec. 201, page 10, line 2, by striking out "14" and inserting: (12)

Amend Sec. 201, page 10, line 4, by striking out "15" and inserting: (13)

Amend Sec. 201, page 10, line 9, by striking out "16" and inserting: (14)

Amend Sec. 201, page 10, line 13, by striking out "17" and inserting: (15)

Amend Sec. 201, page 10, line 15, by striking out "18" and inserting: (16)

Amend Sec. 502, page 13, line 30; page 14, lines 1 and 2, by striking out line 30, page 13, line 1 and "(4)" in line 2, page 14 and inserting: (3)

Amend Sec. 502, page 14, line 4, by inserting a period after "need"

Amend Sec. 502, page 14, line 4, by striking out "and where appropriate in matters relating to licensure."

Amend Sec. 506, page 15, lines 27 through 29, by striking out all of said lines

Amend Sec. 601, page 16, line 23, by striking out "licensure and" and inserting: a

Amend Sec. 601, page 17, line 14, by striking out "Chief Clerk" and inserting: Secretary

Amend Sec. 601, page 17, line 14, by inserting after "and": Chief Clerk of the

Amend Sec. 602, page 19, lines 1 through 6, by striking out all of lines 1 through 5 and "(2)" in line 6

Amend Bill, page 21, lines 2 through 23, by striking out all of said lines

Amend Sec. 605, page 21, line 24, by striking out "605" and inserting: 604

Amend Bill, pages 22 through 26, lines 1 through 30; page 27, lines 1 through 17, by striking out all of said lines on said pages

Amend Chapter 8, page 27, line 18, by striking out "8" and inserting: 7

Amend Sec. 801, page 27, line 20, by striking out "801" and inserting: 701

Amend Sec. 802, page 29, line 15, by striking out "802" and inserting: 702

Amend Sec. 803, page 32, line 5, by striking out "803" and inserting: 703

Amend Sec. 804, page 33, line 12, by striking out "804" and inserting: 704

Amend Sec. 804, page 33, line 17, by striking out "803" and inserting: 703

Amend Sec. 805, page 34, line 12, by striking out "805" and inserting: 705

Amend Sec. 806, page 35, line 3, by striking out "806" and inserting: 706

Amend Sec. 807, page 35, line 8, by striking out "807" and inserting: 707

Amend Sec. 808, page 39, line 4, by striking out "808" and inserting: 708

Amend Sec. 809, page 39, line 17, by striking out "809" and inserting: 709

Amend Sec 810, page 39, line 23, by striking out "810" and inserting: 710

Amend Sec. 811, page 39, line 28, by striking out "811" and inserting: 711

Amend Chapter 9, page 40, line 9, by striking out "9" and inserting: 8

Amend Sec. 901, page 40, lines 12 through 19, by striking out all of said lines

Amend Sec. 902, page 40, line 20, by striking out "902" and inserting: 801

Amend Sec. 903, page 40, line 28, by striking out "903" and inserting: 802

Amend Chapter 10, page 41, line 1, by striking out "10" and inserting: 9

Amend Sec. 1001, page 41, line 4, by striking out "1001. Licenses and certificates" and inserting: 901. Certificates

Amend Sec. 1001, page 41, lines 6 through 10, by striking out all of said lines and inserting: All

Amend Sec. 1002, page 41, line 17, by striking out "1002" and inserting: 902

Amend Sec. 1002, page 41, line 22, by striking out "a license or"

Amend Sec. 1003, page 42, line 14, by striking out "1003" and inserting: 903

Amend Sec. 1004, page 42, line 22, by striking out "1004" and inserting: 904

Amend Sec. 1005, page 42, line 26, by striking out "1005" and inserting: 905

Amend Sec. 1005, page 42, lines 27 through 30; page 43, lines 1 through 20, by striking out all of lines 27 through 30, page 42; all of lines 1 through 19 and "(c)" in line 20, page 43 and inserting: (a)

Amend Sec. 1005, page 43, line 22, by striking out "(d)" and inserting: (b)

Amend Sec. 1006, page 43, line 24, by striking out "1006" and inserting: 906

On the question,

Will the Senate agree to the amendments?

Senator SCHAEFER. Mr. President, those of us who are on the Committee on Public Health and Welfare can recall when House Bill No. 308 was considered by that committee, I offered to the committee amendments to delete from House Bill No. 308 all of those references or dealings with the very complicated, and often very controversial, subject of the licensing of health care facilities.

At the time, Mr. President, the committee members asked me to withdraw the oral amendments and to have them drafted in written form. That, in essence, is the substance of these amendments that I brought before this Body. I am offering the amendments in the hope that this Body will separate from the necessary subject of certificate of need the very difficult and controversial and independent subject of licensing of health care facilities.

Mr. President, I am also motivated by another concern. As late as of yesterday, I talked with Secretary MacLeod concerning the substance of these amendments. I asked the gentleman whether or not he would be supportive of these amendments and he was very clear in his desire to have the subject of licensure dealt with separately. It was also very clear, and I share this concern and my staff has verified this, that the licensing provisions contained in House Bill No. 308 are dangerously suspect and could be characterized as a weakening of present law. So it is with those intentions, Mr. President, and I hope the understanding of my colleagues, that I offer these amendments for our consideration.

Senator COPPERSMITH. Mr. President, I rise to support the statement of the gentleman from Allegheny, Senator Schaefer. I would like to point out what House Bill No. 308 does in regard to licensure. Licensure is a very difficult subject which the Committee on Public Health and Welfare did not have time to deal with. The certificate of need bill, House Bill No. 308, came over from the House at the end of March, and we concentrated solely on the certificate of need requirements and did not do

the work necessary to evolve a replacement of existing licensure procedures.

House Bill No. 308 will eliminate unannounced visits and inspections of nursing homes and of hospitals. The amendments that the gentleman from Fayette, Senator Lincoln, put in still maintain before there can be an unannounced visit of a hospital, there has to be approval, although he did restore unannounced visits of nursing homes. Under House Bill No. 308, licenses would be renewed automatically every two years unless good cause was shown by the department, rather than being renewed upon a thorough annual inspection as now required.

The current practice of granting provisional licenses for a two-year period in order to meet standards would be changed to a system in which provisional licenses could be repeatedly granted without any limitations, even in cases of serious deficiencies they could be granted indefinitely. Negligence and persistent failure to comply with standards would not suffice to invoke penalties but only serious willful violations would permit the imposition of penalties and this would require proof of intent.

It is not clearly provided anywhere in House Bill No. 308 as to the regulatory authority in the following areas: Protection of patients and patients' property; staffing standards; medical record standards; pharmaceutical supply maintenance and standards for quality and sanitation.

The President of the Pennsylvania Medical Society, Dr. John Lovett, took the position that the entire subject of licensure should be deleted from House Bill No. 308 and considered separately.

Mr. William Gannon, Chairman of the State Health Coordinating Council stated, "Licensure is a complex issue and should be dealt with in a separate piece of legislation."

Dr. MacLeod, Secretary of Health, said, "House Bill No. 308 has gone disturbingly beyond the requirements of certificate of need by including licensure."

Licensure is of critical enough importance that it demands consideration under separate legislation. Its inclusion in House Bill No. 308 is unnecessarily complicated and muddled the certificate of need issue.

Mr. President, I will say here only that licensure, as it is addressed in House Bill No. 308, would not improve the licensure system which most certainly does need improvement. To the contrary, its effect would be to undermine the present system and perpetuate its weakness. The only real promise it holds forth to Pennsylvania health consumers is unprecedented administrative chaos. So stating it as briefly as I can, I urge the removal of the entire issue of licensure from House Bill No. 308.

Licensure is a very difficult issue. On the one hand, you have to have a system that does not burden the providers with undue regulation, with costly useless requirements. At the same time, you have to protect the people who are in the institutions. We all know there are nursing homes that are not up to standards. With that problem of inadequate nursing homes or substandard nursing homes, we are now weakening the very licensing provisions under which these homes are functioning.

We are aware of the problem of boarding homes, how we

want to upgrade them and institute some type of licensure procedure. One of the reasons my committee has gone slow in this area is because of this problem of balancing the desire to enable providers to offer care at reasonable cost, at the same time to insure that the people in these homes are being covered by minimum standards.

I think it is important that the issue of licensure be considered very carefully. There has never been a public hearing on House Bill No. 308 in the House concerning licensure. The public hearing on House Bill No. 308 in the Senate dealt with certificate of need. Perhaps foolishly, I assumed licensure would be separated out and we could deal with that separately and carefully over the summer and come up with a possible resolution of this problem.

With the support of the authority of those people involved in this area, who want to have licensure separated out, I think that the amendments proposed by the gentleman from Allegheny, Senator Schaefer, are the only sensible alternative in this case.

We are under no time pressure to deal with licensure now. We can take our time and come up with a fair and decent resolution of the problem. I am suggesting to you if we take it out, adopt the amendments of the gentleman from Allegheny, Senator Schaefer, the Committee on Public Health and Welfare over the summer will have public hearings to develop a draft that will be considered when we return in September. They will be hearings where we hear from the providers, it will be something practical, something that makes sense. I am asking that we do it in a proper, careful way because there are too many vital interests here involved that we should try to rush something through that has not been considered carefully, and which is not in accord with the needs of the people of this State.

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

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The lady will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—32

Andrews, Bell,	Gurzenda, Hankins,	Manbeck, McKinney,	Reibman, Ross,
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Bodack,	Holl,	Messinger,	Schaefer,
Coppersmith,	Howard,	Murray,	Snyder,
Corman,	Jubelirer,	O'Connell,	Stapleton,
Dwyer,	Kelley,	O'Pake,	Stauffer,
Early,	Lloyd,	Pecora,	Tilghman,
Greenleaf,	Loeper,	Price,	Zemprelli,

NAYS—15

Fumo,	Hopper,	Lynch,	Romanelli,
Gekas,	Kusse,	Mellow,	Smith,
Hager,	Lewis,	Moore,	Stout,
Hess,	Lincoln,	Orlando,	

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

The PRESIDENT. House Bill No. 308 will go over, as amended.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 337 (Pr. No. 910) — 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?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—46

Andrews,	Hankins,	Manbeck,	Reibman,
Arlene,	Holl,	McKinney,	Romanelli,
Bell,	Hopper,	Mellow,	Ross,
Bodack,	Howard,	Messinger,	Schaefer,
Coppersmith,	Jubelirer,	Moore,	Smith,
Corman,	Kelley,	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,		

NAYS—2

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

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

SB 395 (Pr. No. 401) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

SB 456 (Pr. No. 973) — 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—48

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

NAYS—0

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

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

BILL REREFERRED

SB 487 (Pr. No. 503) — Upon motion of Senator ROSS, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 490 and 491 — Without objection, the bills were passed over in their order at the request of Senator ROSS.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 629 (Pr. No. 912) — 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—48

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

NAYS—0

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

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

HB 649 (Pr. No. 705) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILL OVER IN ORDER

SB 650 (Pr. No. 692) — Considered the third time,

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

Senator LLOYD. Mr. President, I move that Senate Bill No. 650 go over in its order.

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

Senator MANBECK. Mr. President, I object to Senate Bill No. 650 going over in its order.

Senator LLOYD. Mr. President, I have noticed what I feel is a flaw in Senate Bill No. 650. I would ask for a roll call to have it go over in its order.

Senator HAGER. Mr. President, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

POINT OF ORDER

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

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

Senator HAGER. Mr. President, where are we on Senate Bill No. 650?

The PRESIDENT. The question before the Senate is, will the Senate agree to the motion that Senate Bill No. 650 go over in its order?

Senator HAGER. Mr. President, the main sponsor of the bill has agreed that the bill shall go over.

The PRESIDENT. Does the gentleman withdraw his objection?

Senator MANBECK. Mr. President, I do not often recede from a decision that I have made but under the circumstances and pressure that I have been under, I cannot help but recede from my motion.

The PRESIDENT. Without objection, Senate Bill No. 650, Printer's No. 692 will go over in its order.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 650 (Pr. No. 706) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILL OVER IN ORDER TEMPORARILY

HB 654 — Without objection, the bill was passed over in its order temporarily at the request of Senator HAGER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 665 (Pr. No. 707) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

SB 701 (Pr. No. 974) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

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

NAYS—2

Snyder, 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.

BILL OVER IN ORDER ON FINAL PASSAGE

SB 703 (Pr. No. 754) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator ROSS. Mr. President, I request that Senate Bill No. 703 go over in its order.

The PRESIDENT. Without objection, Senate Bill No. 703 will go over in its order on final passage.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 713 (Pr. No. 769) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

SB 753 (Pr. No. 933) — 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—48

Andrews,	Hager,	Loeper,	Price,
Arlene,	Hankins,	Lynch,	Reibman,
Bell,	Hess,	Manbeck,	Romanelli,

Bodack,	Holl,	McKinney,	Ross,
Coppersmith,	Hopper,	Mellow,	Schaefer,
Corman,	Howard,	Messinger,	Smith,
Dwyer,	Jubelirer,	Moore,	Snyder,
Early,	Kelley,	Murray,	Stapleton,
Fumo,	Kusse,	O'Connell,	Stauffer,
Gekas,	Lewis,	O'Pake,	Stout,
Greenleaf,	Lincoln,	Orlando,	Tilghman,
Gurzenda,	Lloyd,	Pecora,	Zemprelli,

NAYS—0

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

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

BILL ON THIRD CONSIDERATION AMENDED

SB 762 (Pr. No. 897) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator HAGER, on behalf of Senator CORMAN and himself, by unanimous consent, offered the following amendments:

Amend Title, page 1, line 8, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 1), page 2, line 1, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 1), page 2, line 3, by striking out "\$37,500" and inserting: \$37,000

Amend Sec. 1 (Sec. 1), page 2, line 4, by striking out "35,500" and inserting: 35,000

Amend Sec. 1 (Sec. 1), page 2, line 6, by striking out "33,500" and inserting: 33,300

Amend Sec. 1 (Sec. 1), page 2, line 7, by striking out "31,500" and inserting: 31,300

Amend Sec. 1 (Sec. 1), page 2, line 9, by striking out "27,500" and inserting: 28,000

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out "26,500" and inserting: 27,000

Amend Sec. 1 (Sec. 1), page 2, line 12, by striking out "23,000" and inserting: 24,000

Amend Sec. 1 (Sec. 1), page 2, line 13, by striking out "22,000" and inserting: 23,000

Amend Sec. 1 (Sec. 1), page 2, line 15, by striking out "20,000" and inserting: 21,000

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out "20,000" and inserting: 21,000

Amend Sec. 1 (Sec. 1), page 2, line 18, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 1), page 2, line 19 by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 1), page 2, line 21, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 1), page 2, line 22, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 1), page 2, line 24, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 1), page 2, line 25, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 2), page 2, line 30, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 2), page 3, line 2, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 2), page 3, line 4, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 2), page 3, line 6, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 2), page 3, line 8, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 2), page 3, line 10, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 2), page 3, line 12, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 2), page 3, line 14, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 2), page 3, line 16, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 3), page 3, line 21, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 3), page 3, line 23, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 3), page 3, line 25, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 3), page 3, line 27, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 3), page 3, line 29, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 3), page 4, line 1, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 3), page 4, line 3, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 3), page 4, line 5, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 3), page 4, line 7, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 4), page 4, line 18, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 4), page 4, line 20, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 4), page 4, line 22, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 4), page 4, line 24, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 4), page 4, line 26, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 4), page 4, line 28, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 4), page 5, line 2, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 4), page 5, line 6, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 4), page 5, line 10, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 4), page 5, line 13, by inserting brackets before and after "forty dollars (\$40)" and inserting immediately thereafter: forty-five dollars (\$45)

Amend Sec. 1 (Sec. 4), page 5, line 16, by removing the period after "employed" and inserting: effective January 1, 1980

Amend Sec. 1 (Sec. 5), page 5, line 19, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 5), page 5, line 21, by striking out "\$30,000" and inserting: \$31,000

Amend Sec. 1 (Sec. 5), page 5, line 23, by striking out "26,500" and inserting: 27,500

Amend Sec. 1 (Sec. 5), page 5, line 25, by striking

out "24,000" and inserting: 25,000

Amend Sec. 1 (Sec. 5), page 5, line 27, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 5), page 5, line 29, by striking out "19,000" and inserting: 20,500

Amend Sec. 1 (Sec. 5), page 6, line 1, by striking out "16,500" and inserting: 18,000

Amend Sec. 1 (Sec. 5), page 6, line 3, by striking out "15,000" and inserting: 16,500

Amend Sec. 1 (Sec. 5), page 6, line 5, by striking out "13,500" and inserting: 15,000

Amend Sec. 1 (Sec. 6), page 6, line 10, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 6), page 6, line 12, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 6), page 6, line 14, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 6), page 6, line 16, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 6), page 6, line 18, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 6), page 6, line 20, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 6), page 6, line 22, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 6), page 6, line 24, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 6), page 6, line 26, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 7), page 7, line 19, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 7), page 7, line 21, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 7), page 7, line 23, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 7), page 7, line 25, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 7), page 7, line 27, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 7), page 7, line 29, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 7), page 8, line 1, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 7), page 8, line 3, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 7), page 8, line 5, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 8), page 8, line 19, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 8), page 8, line 21, by striking out "\$29,700" and inserting: \$30,000

Amend Sec. 1 (Sec. 8), page 8, line 23, by striking out "25,800" and inserting: 26,500

Amend Sec. 1 (Sec. 8), page 8, line 25, by striking out "22,500" and inserting: 23,500

Amend Sec. 1 (Sec. 8), page 8, line 27, by striking out "20,500" and inserting: 21,500

Amend Sec. 1 (Sec. 8), page 8, line 29, by striking out "17,700" and inserting: 19,000

Amend Sec. 1 (Sec. 8), page 9, line 1, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 8), page 9, line 3, by striking out "14,000" and inserting: 15,500

Amend Sec. 1 (Sec. 8), page 9, line 5, by striking out "12,200" and inserting: 14,000

Amend Sec. 1 (Sec. 9), page 9, line 8, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 9), page 9, line 10, by striking out "\$28,500" and inserting: \$30,000

Amend Sec. 1 (Sec. 9), page 9, line 12, by striking out "23,000" and inserting: 24,000

Amend Sec. 1 (Sec. 9), page 9, line 14, by striking out "17,500" and inserting: 19,000

Amend Sec. 1 (Sec. 9), page 9, line 16, by striking out "15,500" and inserting: 17,000

Amend Sec. 1 (Sec. 9), page 9, line 18, by striking out "12,500" and inserting: 14,000

Amend Sec. 1 (Sec. 9), page 9, line 20, by striking out "6,000" and inserting: 7,000

Amend Sec. 1 (Sec. 9), page 9, line 22, by striking out "5,500" and inserting: 6,500

Amend Sec. 1 (Sec. 9), page 9, line 24, by striking out "4,500" and inserting: 5,500

Amend Sec. 1 (Sec. 10), page 9, line 27, by striking out "1982" and inserting: 1980

Amend Sec. 1 (Sec. 10), page 9, line 29, by striking out "\$21,000" and inserting: \$22,700

Amend Sec. 1 (Sec. 10), page 10, line 1, by striking out "9,000" and inserting: 10,500

Amend Sec. 1 (Sec. 10), page 10, line 3, by striking out "5,000" and inserting: 6,500

Amend Sec. 1 (Sec. 10), page 10, line 5, by striking out "4,000" and inserting: 5,000

Amend Sec. 1 (Sec. 10), page 10, line 7, by striking out "3,500" and inserting: 4,000

Amend Sec. 1 (Sec. 10), page 10, line 9, by striking out "2,500" and inserting: 3,000

Amend Sec. 1 (Sec. 10), page 10, line 11, by striking out "2,000" and inserting: 2,500

Amend Sec. 1 (Sec. 10), page 10, line 13, by striking out "1,500" and inserting: 2,000

On the question,

Will the Senate agree to the amendments?

Senator HAGER. Mr. President, Senate Bill No. 762 is a bill which increases the salaries paid to elected officials at the county level. The bill in its present form does that in a two-step process, in 1980 and then with another increase in 1982. The import of my amendments is to make the entire increase payable upon election to the office in 1980. The numbers vary very slightly from those of the gentleman from Bucks, Senator Lewis, in the bill. They are somewhat lower at the high range of the offices and are very slightly higher at the low range, for instance, in the area of jury commissioners in a fifth or sixth class county.

Frankly, Mr. President, these people have not had an increase in over four years. The argument that mine will take them above the guidelines might be true if you considered it from this year to next, but the fact is, these people have been serving at what I consider to be a much too low level of wages and my own purpose in doing this is that at least in my own county, the county row officers will begin to be paid more than the custodian of the Lycoming County Courthouse.

Senator HESS. Mr. President, I do oppose the distinguished Minority Leader on his amendments. However, after the experience we have had this year in determining our own salaries, I question our ability to accurately assess the effect of these particular amendments. The only reason I will support the measure of the gentleman from Bucks, Senator Lewis, is that it delays the increase and it does turn the responsibility over to the county commissioners, rather than to the State Legislature.

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

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

YEAS—33

Andrews,	Hager,	Lynch,	Romanelli,
Bodack,	Holl,	McKinney,	Ross,
Coppersmith,	Howard,	Moore,	Schaefer,
Corman,	Jubelirer,	Murray,	Smith,
Dwyer,	Kusse,	O'Connell,	Stapleton,
Fumo,	Lewis,	O'Pake,	Stout,
Gekas,	Lincoln,	Pecora,	Tilghman,
Greenleaf,	Loeper,	Reibman,	Zemprelli,
Guizenda,			

NAYS—15

Arlene,	Hess,	Manbeck,	Price,
Bell,	Hopper,	Mellow,	Snyder,
Early,	Kelley,	Messinger,	Stauffer,
Hankins,	Lloyd,	Orlando,	

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

On the question,

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

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

Amend Sec. 2 (Sec. 10.1), page 10, line 16 by striking out "COMMISSIONERS" and inserting: salary board

Amend Sec 2 (Sec. 10.1), page 10, line 19 by striking out "COMMISSIONERS" and inserting: salary board

Amend Sec 2 (Sec. 10.1), page 10, line 22 by inserting after "COMMISSIONERS": or members of the county salary board

On the question,

Will the Senate agree to the amendments?

Senator CORMAN. Mr. President, these amendments make a slight change in the salary bill for county row officers. Senate Bill No. 762 currently calls for the county commissioners to make the decision on all future pay raises for the county row officers. My amendments would change it from county commissioners to the county salary board.

The reason for doing this is, it would place every elected official on public record serving as a member of that salary board

when they consider his salary as to whether he or she shall have a salary increase or not. It takes a lot of pressure off the county commissioners and spreads it equally on each one of the county officeholders.

Mr. President, I think these are good amendments, and I would urge support from all of my fellow Senators.

Senator HESS. Mr. President, I desire to interrogate the gentleman from Centre, Senator Corman.

The PRESIDENT. Will the gentleman from Centre, Senator Corman, permit himself to be interrogated?

Senator CORMAN. I will, Mr. President.

Senator HESS. Mr. President, I know the gentleman from Centre, Senator Corman, has considerable experience in the area of county government. How many members would serve on the salary board?

Senator CORMAN. Mr. President, the salary board in the counties with a controller consists of the three county commissioners, the controller and the elected official when you are dealing with the salaries in his office. In those counties that do not have a county controller, it is the three county commissioners, the county treasurer and then the office-holder, when you are dealing with the salaries of that office.

Senator HESS. Mr. President, how many would be on when you are dealing with the salaries of the particular row officer, not employees within his office?

Senator CORMAN. Mr. President, if these amendments would pass, when we are dealing with the county treasurer's office, for example, there would be five members on the board: The three county commissioners, the county controller and the county treasurer, or the prothonotary or the registrar of wills, whatever office you are dealing with.

Senator HESS. Mr. President, is the gentleman then stating that there would be a different salary board meet on each individual row officer's salary?

Senator CORMAN. That is correct, Mr. President. That is the way the system currently works in considering the salary for the employees of these offices. This would not change the salary board one bit. It would merely put it in the same structure of how you consider the salaries for the employees of the offices, the same structure would prevail for considering the salary increases in the future for the row officers themselves.

Senator HESS. Mr. President, I thank the gentleman. Under the current structure of two majority and one minority, I can see some games being played by the other two members of the salary board to force the two majority members to be responsible for raising the revenues for the salaries. I believe the gentleman from Bucks, Senator Lewis, has the correct approach when he stated that the county commissioners, who are responsible for levying the taxes, should be the final decision-makers as to how that should be spent, and in particular, the salaries of the row officers that serve in that county.

Senator BELL. Mr. President, it is obvious that Senate Bill No. 762 deserves much more additional study. For instance, these amendments would have a salary board meeting to determine the salary of one of its members. How is that man going to vote? He is either going to vote saying, "I am worth more," or he is going to vote and say, "I am not worth more."

I am going to, perhaps, come up with another idea, if this

were to go back to committee where it belongs right now and then have the row officers salaries set by the county commissioners—we still set the county commissioners' salary—instead of playing games the day after we voted for a tax increase for the Commonwealth, when we are talking about salary increases for county officials, although we know they are not tied in together, the people of Pennsylvania do not know that and never will know it.

Mr. President, I think we should defeat these amendments and then seriously consider sending this back to committee for further study.

Senator KELLEY. Mr. President, I do not often disagree with my former colleague as a county commissioner, the author, the gentleman from Centre, Senator Corman.

I agree very much with the remarks of the gentleman from York, Senator Hess, because in my experience, the very factual situation that he alluded to did, in fact, occur. That is the majority commissioners were outvoted on the salary board by those who were not responsible for levying the taxes in the county. I think that severs the responsibility from accountability and, therefore, I think this is the first step for replacing in the county commissioners, where the majority is responsible for levying the taxes and the revenues and having the accountability as well. I am opposed to the amendments accordingly.

Senator LEWIS. Mr. President, let me point out for the benefit of the Members what the issue is, at least as I see it, because it is one that was discussed at some length in the committee.

I think that the gentleman from York, Senator Hess, and the gentleman from Westmoreland, Senator Kelley, have adequately framed the argument in opposition to these particular amendments. The arguments on the other side, however, would take recognition of the fact that there are conceivably as many circumstances where incumbent county commissioners may not be choosing to stand for reelection and, therefore, "play games," to take the phrase used previously in this debate, and move ahead to increase the salaries for their friends and county row officers to a level that they would not have, in fact, considered had they been anticipating standing for reelection.

The way that the proposed amendments would speak to that difficulty or that potential problem is that by requiring that the row officer who, in fact, is going to receive the proposed raise, vote on it himself. There is a degree of accountability that is much the same as that which we have to go through here when we debate salaries for the State Legislature.

So, actually what we are saying, or what we are balancing here, is the question of the possibility on the one hand that County Commissioners might be outvoted by other members of the salary board who do not have the responsibility to raise revenues versus a situation where we prefer to have those who are actually receiving the raises stand and voice their own opinion in a vote so that the public will be able to hold them accountable for the salaries that they are actually receiving.

And the question recurring,

Will the Senate agree to the amendments?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—19

Andrews,	Greenleaf,	Lloyd,	Pecora,
Coppersmith,	Howard,	Loeper,	Snyder,
Corman,	Jubelirer,	Moore,	Stout,
Early,	Kusse,	O'Connell,	Tilghman,
Gekas,	Lewis,	O'Pake,	

NAYS—29

Arlene,	Hess,	McKinney,	Romanelli,
Bell,	Holl,	Mellow,	Ross,
Bodack,	Hopper,	Messinger,	Schaefer,
Dwyer,	Kelley,	Murray,	Smith,
Fumo,	Lincoln,	Orlando,	Stapleton,
Gurzendza,	Lynch,	Price,	Stauffer,
Hager,	Manbeck,	Reibman,	Zemprelli,
Hankins,			

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, as amended?

Senator SNYDER. Mr. President, speaking on Senate Bill No. 762 briefly, this automatic raising of pay produces some very odd results.

The PRESIDENT. Will the Senator yield?

Does the Senator have amendments to offer to the bill?

Senator SNYDER. Mr. President, I have no amendments, but I am going to suggest some that somebody else can prepare if they wish and I would take it that it is in order to discuss that.

Mr. President, several years ago when these salaries were last raised, I objected to the forty per cent increase in the pay of the jury commissioners. In my county particularly the duties of that office had virtually been abolished. Years ago the jury commissioners had to select and had to find out who was willing to serve and so forth. Now they simply mechanically take the names off the voters list—in fact, I think they are required to do so. In other words, what used to be a job that required some work, now requires none. The Committee on Local Government raised the pay from \$3,000 to \$4,500. This is approximately \$1,000 a day for coming into the courthouse and performing a purely mechanical service.

Mr. President, I brought that to the attention of this Body at that time and nothing happened. Back home I explained we do not always do the smart thing around here, but perhaps if we had to do it locally we could do better and save some money. I now find that in Senate Bill No. 762 they raised the pay of jury commissioners in third class counties from \$4,500 to \$5,000, and furthermore, this bill now contains a provision that the county commissioners shall not reduce the salary of any county officer below the amount set forth in this Act. In other words, we would be cemented into paying \$5,000 to two people who

would serve, at most, four days in the courthouse in the course of a year.

Now, Mr. President, I object to two things. Number one is the raising of their salary. In fact, it should be decreased. If you ask me what would be an appropriate figure, I would say \$500 a year. But worse than that, the gentleman is now building into the law the fact that even the county commissioners or whatever setup there is to govern salaries locally, will not be able to change it. If the people most interested in this legislation would prepare a bill to correct that, I think they would be performing a public service.

The PRESIDENT. Senate Bill No. 762 will go over, as amended.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 764 (Pr. No. 822) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—47

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

NAYS—1

Manbeck,

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 1009 (Pr. No. 1117) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

- | | | | |
|--------------|------------|------------|------------|
| Andrews, | Hager, | Loeper, | Price, |
| Arlene, | Hankins, | Lynch, | Reibman, |
| Bell, | Hess, | Manbeck, | Romanelli, |
| Bodack, | Holl, | McKinney, | Ross, |
| Coppersmith, | Hopper, | Mellow, | Schaefer, |
| Corman, | Howard, | Messinger, | Smith, |
| Dwyer, | Jubelirer, | Moore, | Snyder, |
| Early, | Kelley, | Murray, | Stapleton, |
| Fumo, | Kusse, | O'Connell, | Stauffer, |

- | | | | |
|------------|----------|----------|------------|
| Gekas, | Lewis, | O'Pake, | Stout, |
| Greenleaf, | Lincoln, | Orlando, | Tilghman, |
| Gurzenda, | Lloyd, | Pecora, | Zemprelli, |

NAYS—0

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

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

BILL ON THIRD CONSIDERATION AMENDED

HB 1261 (Pr. No. 1723) — Considered the third time,

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

Amend Bill, page 5, by inserting between lines 19 and 20:

Section 3. Sections 1621 and 1626 of the act, added October 4, 1978 (P. L. 893, No. 171), are amended by adding subsections to read:

Section 1621. Definitions.—As used in this article, the following words have the following meanings:

(l) The words "Political Action Committee" shall mean any political committee as defined in clause (h) which receives contributions and makes expenditures to, or on behalf of, any candidate other than a candidate's own authorized political committees or the political committees of any State, county, city, borough, township, ward or other regularly constituted party committee of any political party or political body.

(m) The words "Candidate's Political Committee" shall mean any political committee formed on behalf of a specified candidate and authorized by said candidate.

Section 1626. Reporting by Candidate and Political Committees and other Persons.—

(i) An expenditure from a candidate's political committee to another political committee shall be reported as a contribution by the political committee receiving the contribution but need not be reported by the contributing candidate's political committee until the time required by law for that candidate's political committee to report: Provided, however, That if the amount of the contribution exceeds \$250 to a single political committee or \$1,000 in aggregate contributions to more than one political committee for any primary, general or special election, then such contribution shall be reported by the contributing committee at the same time as required by law for the committee receiving same.

(j) All "Political Action Committees" shall report to the Secretary of the Commonwealth all expenditures to or made on behalf of, any Statewide candidate,

candidate for the Pennsylvania House of Representatives, or candidate for the State Senate, in the same manner as indicated in this section as a candidate's political committee. This provision shall be in addition to any other filing and reporting provisions or this act which apply to such committees, their treasurers and chairmen.

Amend Sec. 3, page 5, line 20, by striking out "3" and inserting: 4

Amend Sec. 4, page 5, line 30, by striking out "4" and inserting: 5

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 third consideration, as amended?

Senator HESS, on behalf of Senator DWYER and himself, by unanimous consent, offered the following amendment:

Amend Sec. 3, page 5, line 26, by inserting after "report.": No late filing fee shall be imposed under section 1632, for the required post-primary election report for the primary election held May 15, 1979 where such post-primary election report is filed on or before July 16, 1979.

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

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

HB 308 CALLED UP

HB 308 (Pr. No. 1657) — Without objection, the bill, which previously went over in its order, as amended, was called up, from page 3 of the Third Consideration Calendar by Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AMENDED RECONSIDERATION OF SCHAEFER AMENDMENTS

HB 308 (Pr. No. 1657) — Senator LINCOLN. Mr. President, I move that the Senate do now reconsider the vote by which amendments offered by Senator Schaefer to House Bill No. 308, Printer's No. 1657 were agreed to.

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

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

And the question recurring,
Will the Senate agree to the amendments offered by Senator Schaefer?

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

YEAS—26

Andrews,	Greenleaf,	Manbeck,	Reibman,
Bell,	Holl,	McKinney,	Schaefer,

Bodack,	Howard,	Messinger,	Snyder,
Coppersmith,	Jubelirer,	O'Pake,	Stauffer,
Corman,	Kelley,	Pecora,	Tilghman,
Dwyer,	Lloyd,	Price,	Zemprelli,
Early,	Loeper,		

NAYS—20

Fumo,	Hess,	Lynch,	Orlando,
Gekas,	Hopper,	Mellow,	Romanelli,
Gurzenda,	Kusse,	Moore,	Ross,
Hager,	Lewis,	Murray,	Smith,
Hankins,	Lincoln,	O'Connell,	Stapleton,

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

Senator LINCOLN. Mr. President, once again I move that the Senate do now reconsider the vote by which amendments offered by Senator Schaefer to House Bill No. 308, Printer's No. 1657 were agreed to.

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

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

POINT OF ORDER

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

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

Senator COPPERSMITH. Mr. President, this would be the second reconsideration. Is this permitted?

The PRESIDENT. This is in order.

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

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

MOTION TO LAY BILL ON THE TABLE

Senator LINCOLN. Mr. President, I now move that House Bill No. 308, with the Schaefer amendments be laid on the table.

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

POINT OF ORDER

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

The PRESIDENT. The gentleman from Lawrence, Senator Andrews, will state it.

Senator ANDREWS. Mr. President, we just moved to reconsider the Schaefer amendments, therefore, the Schaefer amendments are not in the bill, as I would understand it, so we cannot lay the bill on the table with the Schaefer amendments.

The PRESIDENT. If the bill goes on the table the amendments go with it automatically.

Senator ANDREWS. Mr. President, but the amendments are not now part of the bill; is that correct?

The PRESIDENT. The Schaefer amendments are not part of the bill but it goes on the table with the bill if the motion is carried.

Senator SCHAEFER. Mr. President, I object to House Bill No. 308 being laid on the table and ask for a roll call vote.

Senator STAUFFER. Mr. President, I join the gentleman from Allegheny, Senator Schaefer, in objecting to laying the bill on the table. We have considered the proposal twice and I see no reason why we should not complete dealing with a matter which is clearly understood by everyone.

Senator LINCOLN. Mr. President, aside from my opposing the amendments on the basis that I do not think that it is necessary to take them out, I think there has been a compromise that has been arranged by a lot of people involved and I think this is going to throw that out of kilter. I also would say, Mr. President, there is something technically wrong with these amendments. After my amendments were accepted, the amendment offered by the gentleman from Allegheny, Senator Schaefer, at that point, is not technically right. There are different lines now, it is drawn to a whole different set of words, lines and sections in the bill.

Mr. President, in fairness to the gentleman from Allegheny, Senator Schaefer, it would be in his best interest to have these amendments laid on the table and voted tomorrow, whenever that can be straightened out by the gentleman by changing his amendments.

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

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

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

The PRESIDENT. The gentleman will be so recorded.

POINT OF ORDER

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

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

Senator KELLEY. Mr. President do the Rules of the Senate not provide that Members are not supposed to be near the tally desk when the roll call is being tabulated?

The PRESIDENT. The point of order is well taken.

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

YEAS—23

Arlene,	Hess,	McKinney,	Romanelli,
Fumo,	Kelley,	Mellow,	Ross,
Gekas,	Kusse,	Moore,	Smith,
Gurzenda,	Lewis,	Murray,	Stout,
Hager,	Lincoln,	O'Connell,	Zemprelli,
Hankins,	Lynch,	Orlando,	

NAYS—25

Andrews,	Greenleaf,	Loeper,	Reibman,
Bell,	Holl,	Manbeck,	Schaefer,
Bodack,	Hopper,	Messinger,	Snyder,
Coppersmith,	Howard,	O'Pake,	Stapleton,

Corman,	Jubelirer,	Pecora,	Stauffer,
Dwyer,	Lloyd,	Price,	Tighman,
Early,			

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 amendments?

PARLIAMENTARY INQUIRY

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

The PRESIDENT. The gentleman from Fayette, Senator Lincoln, will state it.

Senator LINCOLN. Mr. President, what position are we at right now as far as House Bill No. 308 is concerned?

The PRESIDENT. We are voting on the amendments of Senator Schaefer to House Bill No. 308. House Bill No. 308 is currently on third consideration.

The question before the Senate is, will the Senate agree to the amendments offered by Senator Schaefer.

Senator LINCOLN. Mr. President, a further point of parliamentary inquiry. If, as it seems, it is going to happen, the amendments of the gentleman from Allegheny, Senator Schaefer, are adopted for about the umpteenth time, and it has already been pointed out that these amendments are improperly drawn, what happens to House Bill No. 308 with improperly accepted amendments by this Senate Body?

The PRESIDENT. The bill will be taken to the Reference Bureau, where they will try to resolve the differences between the amendments and blend them in.

Senator LINCOLN. In other words, Mr. President, There is a possibility that the amendments which I offered, which were accepted without any debate, without any opposition, could very conceivably be changed by someone outside of this Legislative Body? If you are telling me they are going to determine then between the two sets of amendments, then there has to be a change somewhere if his are not properly drawn.

The PRESIDENT. The Senate will be at ease. Will the Majority and Minority Leaders please approach the rostrum?

Senator LINCOLN. Mr. President, the hour is late and there are many many other very pressing issues that we should be dealing with, so I am going to withdraw my objection and ask to accept the prior roll call on this particular issue.

The PRESIDENT. Are there any objections to accepting the prior roll call on these amendments? The roll call was twenty-six to twenty.

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

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

YEAS—26

Andrews,	Greenleaf,	Manbeck,	Reibman,
Bell,	Holl,	McKinney,	Schaefer,
Bodack,	Howard,	Messinger,	Snyder,
Coppersmith,	Jubelirer,	O'Pake,	Stauffer,

Corman, Dwyer, Early,	Kelley, Lloyd, Loeper,	Pecora, Price,	Tilghman, Zemprelli,
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NAYS—20

Fumo, Gekas, Gurzenda, Hager, Hankins,	Hess, Hopper, Kusse, Lewis, Lincoln,	Lynch, Mellow, Moore, Murray, O'Connell,	Orlando, Romanelli, Ross, Smith, Stapleton,
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A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. House Bill No. 308 will go over, as amended.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION
BILL ON SECOND CONSIDERATION

HB 1332 (Pr. No. 1493) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 68 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION

HB 82 (Pr. No. 233) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 86 and **HB 147** — Without objection, the bills were passed over in their order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION

HB 224 (Pr. No. 242) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

HB 392 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION AMENDED

HB 396 (Pr. No. 1859) — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator MELLOW offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 2, page 2, line 12, by inserting after "STATE": General

Amend Sec. 2, page 2, line 13, by inserting after "STATE": General

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 OVER IN ORDER

HB 459 — Without objection, the bill was passed over in its order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION AMENDED

SB 507 (Pr. No. 959) — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator SCHAEFER offered the following amendments and, if agreed to, asked that the bill be considered for the second time:

Amend Table of Contents, page 2, line 19, by striking out "and" and inserting a comma

Amend Table of Contents, page 2, line 19, by removing the period after "associations" and inserting: or other entities.

Amend Sec. 601, page 17, line 1, by striking out "broker" and inserting: brokers

Amend Sec. 604, page 23, line 12, by striking out "PERFORM" and inserting: performing

Amend Sec. 604, page 23, line 13, by striking out "Of violating" and inserting: Violating

Amend Sec. 901, page 29, line 13, by striking out "1215," and inserting: 1216,

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

SB 544, 545 and **547** — Without objection, the bills were passed over in their order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION

SB 616 (Pr. No. 648) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 639, HB 657, SB 731, 732, 733, 734, 735, 736, 749, 759, 765, 797, 800, 846, 856, and 857 — Without objection, the bills were passed over in their order at the request of Senator ROSS.

BILL ON SECOND CONSIDERATION

HB 1153 (Pr. No. 1297) — Considered the second time and agreed to,
Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 1335 and **1336** — Without objection, the bills were passed over in their order at the request of Senator ROSS.

BILLS ON SECOND CONSIDERATION

HB 1475 (Pr. No. 1833) and **HB 1486 (Pr. No. 1733)** — Considered the second time and agreed to,
Ordered, To be transcribed for a third consideration.

HB 1330 CALLED UP

HB 1330 (Pr. No. 1491) — Without objection, the bill, which previously went over in its order temporarily on final passage, was called up, from page 2 of the Third Consideration Calendar by Senator ROSS.

PREFERRED APPROPRIATION BILL ON FINAL PASSAGE

HB 1330 (Pr. No. 1491) — On the question,
Shall the bill pass finally?

Senator ANDREWS. Mr. President, I had asked that House Bill No. 1330 go over temporarily a little bit ago, so the gentleman from Philadelphia, Senator Smith, might get some information with respect to the reasons for the large increase on this bill. I believe he has that, so I would ask the gentleman from Philadelphia, Senator Smith, if the gentleman would stand for interrogation and answer that question I posed earlier.

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

Senator SMITH. I will, Mr. President.

This increase of \$1,038,000, was a matter of concern to the Committee on Appropriations. At the hearing for the Public School Employees Retirement Board, it was brought out that due to the number of new retirees and the administrative cost factor, due to the large increase in activities, together with the fact that they are administering a \$4 billion retirement fund, the Committee on Appropriations felt that the increase of \$1,038,000 was justified.

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,	Hager,	Loeper,	Price,
Arlene,	Hankins,	Lynch,	Reibman,
Bell,	Hess,	Manbeck,	Romanelli,
Bodack,	Holl,	McKinney,	Ross,
Coppersmith,	Hopper,	Mellow,	Schaefer,
Corman,	Howard,	Messinger,	Smith,
Dwyer,	Jubelirer,	Moore,	Snyder,
Early,	Kelley,	Murray,	Stapleton,

Fumo,	Kusse,	O'Connell,	Stauffer,
Gekas,	Lewis,	O'Pake,	Stout,
Greenleaf,	Lincoln,	Orlando,	Tilghman,
Gurzenda,	Lloyd,	Pecora,	Zemprelli,

NAYS—0

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

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

HB 654 CALLED UP

HB 654 (Pr. No. 1862) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar by Senator ROSS.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 654 (Pr. No. 1862) — 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—48

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

NAYS—0

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

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

UNFINISHED BUSINESS
SENATE RESOLUTIONS

DIRECTING ATTORNEY GENERAL JOIN WITH MARYLAND IN LEGAL ACTION AGAINST UNITED STATES DEPARTMENT OF ENERGY AND ITS PRESENT FUEL ALLOCATION SYSTEM

Senators ROMANELLI, STAPLETON, ORLANDO, GUR-

ZENDA, REIBMAN, BODACK, MELLOW, ZEMPRELLI, BELL, PECORA, JUBELIRER, PRICE, ROSS, ARLENE, MANBECK, DWYER, EARLY, LEWIS, O'CONNELL, STAUFFER, MURRAY, CORMAN, STOUT, O'PAKE, HOPPER and GREENLEAF offered the following resolution (Serial No. 51), which was read as follows:

In the Senate, June 28, 1979.

WHEREAS, Pennsylvania is experiencing a severe shortage in gasoline; and

WHEREAS, The Governor has evoked executive powers placing a minimum purchase on gasoline, and has instituted an odd/even purchase system; and

WHEREAS, The allocation for fuel provided to the Commonwealth is based upon the consumption of gasoline between October, 1978 and February, 1979; and

WHEREAS, During this period winter weather conditions, including snow storms, limited driving and reduced gasoline consumption; and

WHEREAS, Now Pennsylvania and other northeastern states are being discriminated against as a result of the use of this Federal formula; therefore be it

RESOLVED, That the Governor is instructed to direct the Attorney General to join with the State of Maryland in its legal action against the United States Department of Energy relating to the present fuel allocation system administered by that agency.

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

On the question,

Will the Senate adopt the resolution?

Senator ROMANELLI. Mr. President, today I am introducing a resolution and asking for its immediate consideration. Senate Resolution, Serial No. 51 directs Governor Thornburgh to join in the lawsuit instituted by the State of Maryland against the Federal Energy Administration. The Federal Energy Administration is currently providing gas allocations to States based on their consumption between October, 1978 and February, 1979.

It was during this period that the northeastern states were hit by severe snowstorms in February, in addition to normal cutbacks in driving during these winter months in those states. However, at the same time, the states located in the sun belt had a high consumption, and as a result are getting more gas now than they really do need.

The recent steps which the Governor has taken to implement the odd/even purchasing system, may, to some extent, ease the present gas shortage. However, Mr. President, Pennsylvania will not obtain sufficient fuel for the summer months as long as the base allocations are determined by the amount of gas they used during the winter months for driving. Using the northeastern States' winter gas consumption as a base to determine the base allocations for summer fuel allotments is like using summer home heating oil requirements to determine what the winter allocation should be for home heating oil.

Senator BELL. Mr. President, I want to congratulate the gentleman from Allegheny, Senator Romanelli, for finding this fact out and bringing it immediately to the attention of this Senate. Here is another time when the sun belt is really giving it to the frost belt.

Those of us in this Senate recall those days early this year when we had one of the worst snowstorms that has hit the

northeast for many, many years. The people in Washington, who set the allocations, used that period when our whole State was paralyzed and no traffic could move day after day, for the basis upon which we get our gas now.

Mr. President, I congratulate the gentleman from Allegheny, Senator Romanelli. I urge all of us to support this resolution because if we ever had the shaft put to Pennsylvania, it was done by the Energy Commission down in Washington controlled by the Southerners to steal our gasoline for the south.

Senator KELLEY. Mr. President, I want to commend the gentleman from Allegheny, Senator Romanelli, as well, for calling this to our attention. I disagree, however, with the expression that we join in, because as the chief sponsor indicated, they are taking care of this thing immediately. I, in my experiences as an attorney and everything else, find the courts are the last avenue by which one would try to get results.

I would hope the best avenue would be our Congressional delegation, the United States Senators and the Members of the House of Representatives in Washington, because I think we might be able to effectuate a quicker result that way. But I commend the gentleman from Allegheny, Senator Romanelli, for bringing this to our attention. It is a very serious and imminent problem.

Senator HOLL. Mr. President, I strongly support Senate Resolution, Serial No. 51, and I think it is going to take more than join with another State in a proceeding before the courts.

It certainly should be sent to all of the congressional members from Pennsylvania, all of the delegation, because they had what I call unmitigated gall to come to our Governor to tell him to do something that should have been done in Washington by them in the first place.

Here we have another example: Where have they been? This should be brought to their attention, and I commend the gentleman from Allegheny, Senator Romanelli. I feel certainly that this resolution will be adopted.

Senator ROMANELLI. Mr. President, my colleagues can be assured that both the United States Senators of Pennsylvania and the complete Congressional delegation of Pennsylvania will have copies of Senate Resolution, Serial No. 51, and a copy of the letter I sent to Governor Thornburgh.

Senator MANBECK. Mr. President, I, too, join in signing Senate Resolution, Serial No. 51, sponsored by the gentleman from Allegheny, Senator Romanelli, and I am real proud that the gentleman has taken the initiative. I think that the Congressional delegation and the entire Transportation Department in Washington has short-changed Pennsylvania for too long. Senator Romanelli was one of the delegates, and Senator Holl also, that went to Washington to see that we get our fair share of the transportation fund. We have not received that and I think it is high time that we all get together and, perhaps, we should organize a strike and go down there and sit on the doorsteps; the entire Senate could go down and call a strike and sit there until we get our funds.

Senator BELL. Mr. President, I like the suggestion of the Senators in supporting the gentleman from Allegheny, Senator Romanelli, and, Mr. President, I am sure this is going to pass.

Make sure our sister States who also are getting raped, get copies of this.

And the question recurring,
Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 51, ADOPTED

Senator ROMANELLI. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 51.

The motion was agreed to and the resolution was adopted.

AMENDING SENATE RULE 35

Senators ROSS, SMITH, KURY, ANDREWS and MOORE offered the following resolution (Serial No. 52), which was read as follows:

In the Senate, June 28, 1979.

RESOLVED, That Senate Rule XXXV be amended to read:
XXXV ACCOUNTING FOR APPROPRIATIONS

I—Personnel

1. The office of Chief Clerk of the Senate shall serve as the central office of the Senate for all personnel and payroll matters.

2. Before any person is placed on any payroll of the Senate, there must be in the office of the Chief Clerk a payroll file containing:

- (a) Full name of employe.
- (b) Full address including county.
- (c) Date of employment/termination/or job transfer.
- (d) All information necessary for tax withholding and benefit eligibility.
- (e) Job title and/or description to include general hours of work, general job responsibilities and job location.
- (f) Letter of appointment signed by authorizing Senator or officer including a delineation of the account from which the employe is to be paid.

All payroll changes shall be reflected by the next appropriate payroll period providing said change is received in the office of the Chief Clerk prior to processing of the payroll.

3. When any person is retained on a contractual basis by any officer or member of the Senate, there shall be in the office of the Chief Clerk a file containing:

- (a) Full name, address, including county and social security number of person from whom services are contracted.
- (b) Duration of the contract.
- (c) Cost of the contract.
- (d) Clear, detailed description of the type of service to be performed or product to be delivered.
- (e) The Senator or officer responsible for monitoring the performance.

(i) All purchase of service contracts shall be reviewed by the office of the Chief Clerk to ensure conformity with guidelines before processing.

(ii) Payments under contract shall be made in accordance with provisions of the contract provided a voucher for such payment is received in the office of the Chief Clerk before the applicable deadline date.

4. Authorized accounts:

- (a) Special Leadership Account (D).
- (b) Special Leadership Account (R).
- (c) Appropriations Committee Account (D).
- (d) Appropriations Committee Account (R).
- (e) Legislative Management Committee Account (D).
- (f) Legislative Management Committee Account (R).
- (g) Salaried and Per Diem Senate Employees Account pursuant to the act of January 10, 1968 (1967, P. L. 925, No. 417).
- (h) Employees of Chief Clerk Account.
- (i) Senate Leadership and Officer Contingent Funds.

[(i)](j) Other accounts as might be designated for payroll costs in the General Appropriations Act.

II—Travel and Travel Allowances

1. Authorized travel or travel allowances for which payment or reimbursement may be claimed in the performance of legislative services:

- (a) Round trip from home district to Harrisburg for session.
- (b) Round trip from home district to Harrisburg for nonsession activities.
- (c) Intradistrict or interdistrict legislative business.
- (d) Committee meetings, hearings, conferences or seminars.
- (e) Car rental up to \$250 per month, exclusive of insurance and other costs of operation. Rental may not include lease purchase agreements.

(f) Parking, limousine services, taxi, tolls, including to and from session.

- (g) Witness expenses.
- (h) Staff travel from work place to specific legislative business.

2. Payment or reimbursement shall be made in the following fashion:

- (a) Actual expenses when utilizing common carrier.
- (b) Fifteen cents per mile, or at such rate [authorized] set forth under Internal Revenue Service [Code] guidelines for such purposes when utilizing personal vehicle or conveyance.

(c) Only actual expenses including automobile insurance, when utilizing leased vehicle or conveyance. Constitutional session mileage payments shall be made to all Senators, provided however, That Senators claiming reimbursement for actual expenses shall reduce such claim for reimbursement for any given month, by an amount equal to the constitutional session mileage due for such month.

3. Documentation required for travel claim:

- (a) General invoice or expense voucher showing:
 - (i) Date of travel.
 - (ii) Purpose of travel described in reasonable specificity.
 - (iii) Point of origin and furthest destination.
 - (iv) Mileage travelled when utilizing personal vehicle or conveyance.

(v) Receipt when utilizing common carrier.
(vi) Receipts for parking, limousine, taxi and/or toll charges when in excess [of a total] individually of \$10 for any one travel claim.

4. Authorized accounts:

- (a) Travel reimbursement may be made from:
 - (i) Special Leadership Account (D).
 - (ii) Special Leadership Account (R).
 - (iii) Appropriations Committee Account (D).
 - (iv) Appropriations Committee Account (R).
 - (v) Legislative Management Committee Account (D).
 - (vi) Legislative Management Committee Account (R).
 - (vii) Senators Legislative Accountable Expenses.
 - (viii) Senate Leadership Contingent Funds.
 - (ix) Senate Officers Contingent Funds.
 - (x) [Senator's mileage account, except those members who lease vehicles shall be reimbursed for actual costs only for session travel] Senator's Constitutional Session Mileage Account for session travel.

(xi) Senator's District Office Expenses.

III—Per Diem

1. The office of the Chief Clerk of the Senate shall serve as the control disbursement office for all per diem claims.

2. Per diem under these guidelines should be considered as reimbursement for lodging, meals, refreshments and expenses incidental thereto in the performance of legislative duties while away from home.

3. [Per diem] Expenses shall be reimbursed by voucher for actual expenses or up to the rate [provided] set forth in the Internal Revenue Service [Code] guidelines applicable to the Harrisburg locality as maximum reimbursement for allowable

business expenses without receipts attached. The Chief Clerk shall promulgate a standard for partial payment of per diem reimbursement itemizing separate maximums for lodging, breakfast, dinner and miscellaneous expenditures. Employees shall be reimbursed for actual expenses only.

4. Where a member is entitled to reimbursement from more than one source for dual legislative business, reimbursement shall be received from only one source.

5. Where per diem reimbursement is paid by a legislative service agency co-funded between both Houses of the General Assembly, a copy of that payment shall be furnished to the office of the Chief Clerk for record-keeping and control purposes to avoid two or more payments for the same day.

6. All claims for reimbursement of actual expenses or per diem shall be reviewed by the Chief Clerk prior to processing and payment.

7. Documentation required:

(a) Voucher only, stating date and legislative purpose, for expenses up to the amount allowable under paragraph 3.

(b) Voucher, stating date and legislative purpose, with receipts attached when claiming actual expenses.

8. Authorized accounts:

(a) Senator's accountable legislative expenses for session days.

(b) Senator's accountable legislative expenses for legislative business other than committee meetings or hearings on nonsession days.

(c) Special leadership, leadership and officer contingencies, appropriations or management accounts for committee activities, meetings or hearings or leadership activities on nonlegislative days.

IV — Equipment and Furnishing Control and Inventory

1. The Office of the Secretary of the Senate shall act as the sole agent for improvements or renovations to Senate facilities at the Capitol Complex and for the purchase, control and inventory of durable equipment, furniture and furnishings with a useful life of one year or more and a cost of more than \$50 for utilization in both the Capitol and district home offices.

2. All requests for the purchase or rental of equipment, furniture and furnishings must be reviewed and approved by the Secretary of the Senate.

3. All approved requests shall be processed by the office of the Secretary of the Senate, which shall maintain a full and current inventory of all durable equipment, furniture and furnishings secured on behalf of a member, officer or employe of the Senate.

4. The Secretary of the Senate shall take all necessary and reasonable steps to ensure that the purchase or rental of durable equipment, furniture and furnishings with a useful life of one year or more and a cost of more than \$50 shall be transacted at the lowest available price for the quality, compatibility and service of the items being purchased or leased.

5. The Secretary of the Senate shall serve as the sole agent for the purchase of United States and Pennsylvania flags and shall provide for the publication and dissemination of educational or informational literature pertaining to the Senate of Pennsylvania, the Commonwealth of Pennsylvania or the Government of the United States.

6. The records of the Secretary of the Senate shall be considered public records and be available for public inspection in a manner similar to that provided in Rule XXXVI.

7. Documentation required:

(a) Request for purchase or rental showing:

(i) Date of request.

(ii) Item requested.

(iii) By whom request made.

(iv) Purpose.

(b) Vendor's invoice or receipt detailing:

(i) Date of purchase or rental.

(ii) Vendor's identity.

(iii) Description of item purchased or rented.

(iv) Length of rental contract when applicable.

(v) Cost of the purchase or rental.

8. Authorized account:

(a) [Central equipment and furnishing] Legislative and printing expense account as provided in General Appropriations Act.

V — District Office Expenses

1. Expenses authorized shall include:

(a) Office rental up to \$300 per month excluding utilities.

(b) Utility services.

(c) Insurance.

(d) Printing services.

(e) Telephone and answering services.

(f) Postage and mailing services.

(g) Publications and subscriptions.

(h) Nondurable supplies.

(i) Member and employe parking.

(j) Janitorial maintenance and/or cleaning services.

2. Documentation required:

(a) Vouchers, receipts and/or invoices appropriately documenting expenses and purpose for each expenditure in excess of [\$20] \$25 per occurrence.

3. Authorized accounts:

(a) Senators' Legislative Accountable Expenses.

(b) Senators' District Office Expenses.

[c) Contingent Funds.

(d) Special Leadership Account (D), exclusive of office rental.

(e) Special Leadership Account (R), exclusive of office rental.

(f) Appropriations Committee Account (D), exclusive of office rental.

(g) Appropriations Committee Account (R), exclusive of office rental.

(h) Postage accounts of Senate officers (for postage only).

(i) Legislative printing and expense account.]

V(a) Capitol Complex Offices

1. Expenses authorized shall include:

(a) Utility services.

(b) Insurance.

(c) Printing services.

(d) Telephone and answering services.

(e) Postage and mailing services.

(f) Publications and subscriptions.

(g) Nondurable supplies.

(h) Employe parking.

(i) Janitorial maintenance and/or cleaning services.

(j) Other items authorized for expenses as defined in the General Appropriations Act.

2. Documentation required.

(a) Vouchers, receipts and/or invoices appropriately documenting expenses and purpose for each expenditure in excess of \$25 per occurrence.

3. Authorized accounts:

(a) Legislative printing and expense account.

(b) Postage accounts of Senate officers (for postage only).

(c) Senators' Legislative Accountable Expenses.

(d) Contingent funds.

(e) Special Leadership Account (D), exclusive of office rental.

(f) Special Leadership Account (R), exclusive of office rental.

(g) Appropriations Committee Account (D), exclusive of office rental.

(h) Appropriations Committee Account (R), exclusive of office rental.

VI—Official Expenses

1. Types:
 - (a) Legislative conferences, seminars, meetings.
 - (b) Meeting rooms.
 - (c) Food and refreshments in conjunction with the conduct of legislative business.
 - (d) Other incidental expenses attendant to conduct of meeting.

(e) Entertainment.

Allowable entertainment expenses are the ordinary and necessary expenses for meals, refreshments, and related services incurred in the performance of legislative duties, and are reimbursable providing there is a legislative business related purpose for incurring the expense. In general those entertainment expenses will be incurred during, immediately preceding or immediately following a substantial and bona-fide legislative business discussion, however, they may also occasionally be incurred the evening preceding or evening following the discussion, meeting, or conference.

(f) In order to be deemed allowable the expense must comply with one of the following categories:

(i) Expenses for a dinner that is part of a legislative program or purpose.

(ii) Expenses at a restaurant or other location that is conducive to a business discussion. (A location is considered conducive to a business discussion if there are no substantial distractions.)

(iii) Expenses related to legislative business meetings with elected officials, out-of-town guests or staff members.

2. Documentation required for expenses other than entertainment:

- (a) voucher stating date and legislative purpose; and
- (b) registration receipt; or
- (c) vendor's invoice, date, time, place, amount; or
- (d) guest check or lodging receipt, date, time, place, amount;

or

- (e) credit card receipt, date, time, place, amount.

3. Documentation required for entertainment:

(a) As [stipulated] outlined in section 1.274-5(c) of the [IRS Code] Internal Revenue Service Regulations, entertainment expenses [can be deducted] are allowable ONLY when supported by records of the amount, time, place, and legislative business purpose, and business relation of persons participating. This means that an account book must be maintained in which each element of an expenditure is contemporaneously recorded. Documentary evidence is required to support all expenditures of \$25 or more.

4. Allowable accounts:

- (a) Special Leadership Account (D).
- (b) Special Leadership Account (R).
- (c) Appropriations Committee Account (D).
- (d) Appropriations Committee Account (R).
- (e) Legislative Management Committee Account (D).
- (f) Legislative Management Committee Account (R).
- (g) Senators Legislative Accountable Expenses.
- (h) Senate Leadership Contingent Funds.
- (i) Senate Officers Contingent Funds.

VII—Special Expenses

1. Type of authorized expenses:

(a) Flowers, baskets of fruit or other appropriate items or memorial contributions to designated charities [less than] not to exceed \$35. Recipients are limited to instances of death or illness for members, officers, employes or their immediate families, or former members, or dignitaries including both incumbent or former elected or appointed officials.

(b) Rental of common carrier and other expenditures inherent thereto for attendance at funerals of a member or members of a member's immediate family, [or former member's] former members, dignitaries, or officers.

2. Document required:

- (a) Vendor receipt, date of delivery, description.
- (b) General invoice showing recipient of flowers, memorial contribution and amount, date.

(c) Vendor's invoice showing date of delivery, description, quantity, price and total amount for items secured.

3. Allowable accounts:

- (a) Senate Leaders, Officers Contingent Funds.

VIII—Miscellaneous Expenses of Standing and Special Committees

1. Rental of meeting rooms and/or hearing facilities and payments to qualified court reporters or stenographers to record the proceedings authorized by the chairman of a standing committee of the Senate, including the cost of transcripts.

2. Committee postage and mailing fees for mailings relating to legislative business.

3. Publications and subscriptions.

4. Documentation required:

(a) Vouchers or vendors receipts or invoices stating vendor's name, services or amount of postage, date, place, and total amount due or paid. Postage purchases shall require a receipt stamped by the Postmaster.

5. Authorized accounts:

- (a) Legislative Management Committees (D).
- (b) Legislative Management Committees (R).
- (c) Special Leadership Account (D).
- (d) Special Leadership Account (R).
- (e) Appropriations Committee Account (D).
- (f) Appropriations Committee Account (R).

IX—Sub-committee of Rules Committee

1. There shall be a permanent sub-committee of the Rules Committee consisting of three Senators from the Majority Party and two Senators from the Minority Party.

2. The duties of the sub-committee shall be:

(a) To arbitrate a decision of the Secretary or Chief Clerk of the Senate relating to this Rule, in the event that a member, officer or employe shall disagree with a decision of the Secretary or Chief Clerk of the Senate.

(b) To make a final decision in case of a dispute on a question of legislative intent or legislative purpose regarding an expenditure.

[(b)] (c) To make a continuing review of the Rules of the Senate as to expenditures and the reporting of expenditures, and, from time to time, to make such recommendations as are appropriate and be it further

RESOLVED, That this resolution take effect July 1, 1979.

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

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 52, ADOPTED

Senator ROSS. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 52.

The motion was agreed to and the resolution was adopted.

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 City of Easton on its Second Annual Heritage Days celebration by Senator Reibman.

Congratulations of the Senate were extended to the West Perry High School Baseball Team by Senator Moore.

Congratulations of the Senate were extended to Mr. and Mrs. Elmer Boswell, Mr. and Mrs. Wray E. Paul and to Mr. and Mrs. John W. Hathaway by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Charles S. Harting by Senator Price.

Congratulations of the Senate were extended to Mr. and Mrs. Harry E. Dalrymple by Senator Kusse.

MEETING OF THE COMMITTEE ON APPROPRIATIONS

Senator ROSS. Mr. President, before we turn the Chair over to the gentleman from Allegheny, Senator Zemprelli, at the request of the Chairman of the Senate Committee on Appropriations, Senator Smith, the recessed meeting of the Committee on Appropriations will reconvene at 6:10 p.m., in the Majority caucus room.

STATEMENT BY MAJORITY LEADER

Senator ZEMPRELLI. Mr. President, may I make a provisional motion?

Mr. President, the Chair has indicated that there were no bills reported from committee. So, therefore, a motion to have bills reported from committee today read for the first time was not in order as of this time. However, it is the intent of the Majority Leader to move that this day's Session go into recess pending reconvening at the call of the Chair.

Mr. President, being aware of the fact that there are committee meetings in progress, or others that may be recessed and called in the interim period of time, I would, therefore, move that if in the event any bills are reported from committee before the adjournment of today's Session, that such bills be read for the first time.

The PRESIDENT. The Chair hears no objection.

PETITIONS AND REMONSTRANCES

Senator ZEMPRELLI. Mr. President, your failure to take a breath between Petitions and Remonstrances and words from the Secretary and the lateness of the hour, did not give me the opportunity to respond. Although it is not really a petition or a remonstrance, I think it would be a bit of lack of appreciation on my part if I did not publicly acknowledge the esprit de corps that existed in the Senate with respect to not only those Senators who dedicated themselves to the dispatch of a tax bill, but also to all the staff, the bill clerk and everyone down to the janitor—and certainly all the other people who made that process a very comfortable one with the same dedication of those Members of this elected Body. I personally am appreciative of that kind of spirit and I think it has made our work a lot easier and I am most thankful.

Senator HAGER. Mr. President, I wish to not only thank the gentleman from Allegheny, Senator Zemprelli, for his remarks but join in them. I think everybody knows from my remarks the other night that I do not believe the Senate could operate without the efforts of the staff, which most of the time to the public and sometimes to the memory of the Members of this Body, go completely unnoticed.

Mr. President, I also feel that what happened here over the last three days may auger very, very well for the future course of this Senate. Although there were the usual speeches on the floor of the Senate, which everyone understands, there was a spirit of cooperation with the new Administration; there was a spirit of once the politics is over, let us get our business done; there was a recognition of the fact that the people of this State care not so much who is Republican and who is Democratic, but whether or not State government is actually attending to its knitting and getting its business done on time.

Mr. President, as of this moment, debate is raging on the floor of the House on House Bill No. 404. I do not know whether or not we will have achieved, as State government, our goal of presenting a budget adequately funded to the people of this State by the end of this fiscal year, but I certainly think from all of the remarks and comments of the Members of the Senate whom I saw after last night's Session and today, there is a feeling of justifiable pride here that we did our work and that we are ready to do more as soon as those matters come before us from the House of Representatives and as soon as the Committee on Appropriations of the Senate has completed its work on House Bill No. 1300.

Mr. President, I frankly look forward to the balance of this legislative term working in much closer cooperation with the Members across the aisle than has ever been possible in this State, and I know they look forward to the same thing.

I wish to personally thank the Majority Leader and the Members of his caucus, particularly those who decided to join with the twenty-one Republicans in voting for this measure last night.

I also think it should be pointed out, Mr. President, without the invitation of the gentleman from Cambria, Senator Copper-smith, a couple of nights ago, this thing never would have even gotten off the ground. It did. I think that not only is it wonderful that it was able to stay airborne, but I suspect that a whole lot of things will be possible now that never were before.

For that, Mr. President, I thank everyone involved, particularly the Majority Leader.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, JUNE 29, 1979

off the floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolutions No. 49, 213 and House Resolution No. 89)	Rules Committee Conference Room
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FRIDAY, JULY 6, 1979

10:00 A.M. Special Senate Committee on Medicaid Fraud (Public Hearing to gather evidence of fraud and abuse of Medicaid Program.) Phila. City Council Chambers, City Hall Philadelphia, PA

MONDAY, JULY 9, 1979

11:00 A.M. PROFESSIONAL LICENSURE (to consider Senate Bill No. 820 and Public Hearing on the nomination of Stanley Miller) Senate Majority Caucus Room

WEDNESDAY, JULY 11, 1979

9:30 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing on Senate Bill No. 183) Senate Majority Caucus Room

WEDNESDAY, JULY 18, 1979

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

THURSDAY, JULY 19, 1979

10:00 A.M. AGING AND YOUTH (Public Hearing on Senate Bill No. 526) 4th Floor Council Chambers, Phila. City Hall, Market & Juniper Sts., Philadelphia

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

FRIDAY, JULY 20, 1979

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

MONDAY, JULY 23, 1979

9:30 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing on Senate Bills No. 175 and 363) Senate Majority Caucus Room

FRIDAY, JULY 27, 1979

10:30 A.M. URBAN AFFAIRS AND HOUSING (Public Hearing on Senate Bills No. 50, 705, 706 and 707) Gold Room, Allegheny County Court House Pittsburgh, PA

RECESS

Senator ZEMPRELLI. Mr. President, in view of the fact that I propose to make a motion that the Senate stand in recess pending a call for reconvening at the direction of the Chair, I think that it would be important for me to say within a degree, with as much certainty as I would have the privilege of doing, that it would be our hope that anybody, certainly all of the Senators who are not now on the floor, should be prepared to check as to our reconvening as early as 10:00 o'clock tomorrow morning. It would be our hope to keep the Session open and then adjourn, assuming that we do have an appropriation bill before us, and that, thereafter, go into Friday's Session in the normal course of events.

Mr. President, all of what I am saying, however, is predicated upon the determination of action by the House. But I think the expectations of possibly being here as early as 10:00 o'clock tomorrow morning must be kept in mind. In view of that, I would now move that the Senate do now stand in recess until the call of the Chair.

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

The PRESIDENT. The Senate will stand in recess pending the call of the Chair.

AFTER RECESS

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

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

REPORT FROM COMMITTEE

Senator SMITH, by unanimous consent, from the Committee on Appropriations, rereported, as amended, HB 140.

ADJOURNMENT

Senator ZEMPRELLI. Mr. President, I move that the Senate do now adjourn until Friday, June 29, 1979, at 5:25 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.