

Legislative Journal

WEDNESDAY, MAY 28, 1980

Session of 1980

164th of the General Assembly

Vol. 2, No. 34

SENATE

WEDNESDAY, MAY 28, 1980.

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

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

PRAYER

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

Almighty God, our Heavenly Father, Who has blessed us with the heritage of liberty and justice and entrusted us with the responsibility to preserve it for all the people in this Commonwealth, grant unto this Senate wisdom and courage to know and to do Thy will, so that in all its actions may be for the betterment of mankind and the furtherance of Thy Kingdom on earth as it is in heaven. We ask this through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

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

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

SENATOR SCANLON TO VOTE FOR SENATOR ZEMPRELLI

Senator SCANLON. Mr. President, I am requesting a temporary legislative leave for Senator Zemprelli, whom I will be voting on the roll call. He should be on the floor.

The PRESIDENT pro tempore. 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 217** and **218**, which were referred to the Committee on Environmental Resources.

He also presented for concurrence **HB 2412**, which was referred to the Committee on Finance.

SENATE BILLS RETURNED WITH AMENDMENTS

He also returned to the Senate **SB 506**, **759** and **843**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bills, as amended, will be placed on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **SB 770**.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 1011, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1011**, and has appointed Messrs. A. C. FOSTER, LEVI and A. K. HUTCHINSON as a Committee of Conference to confer with a similar Committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

CHANGE IN COMMITTEE OF CONFERENCE ON HB 1623

He also informed the Senate that the House has substituted the gentleman from Lancaster, Mr. BRANDT, for the gentleman from Mifflin, Mr. DeVERTER, as a member of the Committee of Conference on **HB 1623**.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate **SB 1003** and **1048**, with the information that the House has passed the same without amendments.

BILLS SIGNED

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

SB 770, **1003** and **1048**.

GENERAL COMMUNICATION

LISTS OF LOBBYISTS AND ORGANIZATIONS

The PRESIDENT pro tempore laid before the Senate the fol-

lowing communication, which was read by the Clerk as follows:

Senate of Pennsylvania

May 28, 1980.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from April 29, 1980 through May 27, 1980 for the 164th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:

MARK GRUELL, JR.
Secretary of the Senate

CHARLES F. MEBUS
Chief Clerk
House of Representatives

(See Appendix for complete list.)

RESOLUTIONS REPORTED FROM COMMITTEE

Senator EARLY, from the Committee on Constitutional Changes and Federal Relations, reported without amendment, the following House Resolutions, numbered and entitled:

No. 84—General Assembly memorialize Congress investigate Delaware River Basin projects.

No. 185—General Assembly memorialize the President and Congress to urge the Nuclear Regulatory Commission formulate guidelines to decontaminate TMI-2.

The PRESIDENT pro tempore. The resolutions will be placed on the Calendar.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator EARLY submitted the Report of Committee of Conference on SB 518, which was placed on the Calendar.

BILLS INTRODUCED AND REFERRED

Senators SCHAEFER, MELLOW and LLOYD presented to the Chair SB 1430, entitled:

An Act amending the act of February 19, 1980 (No. 9), entitled "Real Estate Licensing Act," further providing for exclusions.

Which was committed to the Committee on Professional Licensure.

Senator REIBMAN presented to the Chair SB 1431, entitled:

An Act making an appropriation to the Northampton County Branch of the Pennsylvania Association for the Blind, Inc.

Which was committed to the Committee on Appropriations.

Senators SMITH and MURRAY presented to the Chair SB 1432, entitled:

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), entitled, as amended, "Public Official Compensation Law," increasing the compensation of justices and judges of the appellate courts; increasing the allowable mileage rates for members of the General Assembly; providing for the monthly payment of expenses for members of the General Assembly; and providing an earlier date for the payment of certain judicial salary increases.

Which was committed to the Committee on Appropriations.

Senators COPPERSMITH, LYNCH and HOLL presented to the Chair SB 1433, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," increasing from seventy-five to eighty per centum the loan-to-value ratio on real estate and leasehold loans, and allowing Pennsylvania life insurance companies to invest in interest-bearing deposits or certificates of deposit in any State, Federal or Canadian bank or savings and loan association, junior mortgages and trust deeds, foreign obligations and securities, mortgage pass-through certificates and general partnerships, and imposing limitations.

Which was committed to the Committee on Insurance.

Senators GREENLEAF and KELLEY presented to the Chair SB 1434, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," exempting privately-owned public golf courses from licensing quota.

Which was committed to the Committee on Law and Justice.

Senator GREENLEAF presented to the Chair SB 1435, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the announcement of right to appeal by a district justice.

Which was committed to the Committee on Judiciary.

CALENDAR

SB 1396 CALLED UP OUT OF ORDER

SB 1396 (Pr. No. 1772) — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator SCANLON.

NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1396 (Pr. No. 1772) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator HAGER. Mr. President, will you just note for the record that Senator Hager made reference to all previous speeches on the same titles and thought better of the Senate and its Members and decided not to give the same speech, but they should consider it having been given.

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

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

Senator HAGER. I will not, Mr. President.

Senator KELLEY. Mr. President, I regret that in the few short years I have been here, approximately six, it is the first time to my recollection that any one of the Members of this Body failed to consent to interrogation. I am sure the gentleman from Lycoming, Senator Hager, has his reasons, but I just feel the lack of interrogation and response thereto is an interference with the very purpose of a deliberative Body. So many times we have heard from other gentlemen—

POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Delaware, Senator Bell, will state it.

Senator BELL. Mr. President, a Senator's motives are not the subject of debate.

The PRESIDENT pro tempore. The point of order is well taken. I would urge Senator Kelley that we are on Senate Bill No. 1396.

Senator KELLEY. Mr. President, I could not agree more with the Chair's ruling or the objection made by the gentleman from Delaware, Senator Bell. I am not aware that I made any statements relevant to the intentions or motives of any Member, including the gentleman from Lycoming, Senator Hager. If I did and they were misinterpreted, I certainly would want to apologize and do apologize.

I was only saying that the lack of one consenting to interrogation certainly does not seem to be consistent with this Body, but I was really going to give the reason why I wanted to interrogate the gentleman and that was I was wondering per chance if he and other Members of this Body would be willing to vote, who would not vote for this as it appears as a nonpreferred appropriation, if they would be willing to vote for this and other things, matters, if they were amended with a General Appropriations bill as was done last week.

Since the gentleman failed to be interrogated, I just want the public record to at least know what my question would have been, was and is generally, if not specifically, because the gentleman from Lycoming, among others, saw fit to agree, in fact he sponsored an amendment to amend a nonpreferred appropriation bill as a General Appropriations bill that included the same substance and material of the nonpreferred and then he and others voted in the affirmative, and I was wondering if possibly he or others would, therefore, join and do the same thing with this and like bills on the Calendar.

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—38

Arlene, Holl, Messenger, Scanlon,

Bell,	Jubelirer,	Murray,	Schaefer,
Bodack,	Kelley,	O'Connell,	Smith,
Coppersmith,	Kusse,	O'Pake,	Snyder,
Dwyer,	Lewis,	Orlando,	Stapleton,
Early,	Lloyd,	Pecora,	Stauffer,
Fumo,	Loeper,	Reibman,	Stout,
Gurzenda,	Lynch,	Romanelli,	Tilghman,
Hankins,	Manbeck,	Ross,	Zemprelli,
Hess,	Mellow,		

NAYS—10

Andrews,	Greenleaf,	Howard,	Moore,
Corman,	Hager,	Kury,	Price,
Gekas,	Hopper,		

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

Not being present at the time of roll call, Senator LINCOLN announced his vote in the affirmative.

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

RECESS

Senator SCANLON. Mr. President, I request a recess of the Senate until 4:00 p.m., for the purpose of holding a Democratic caucus and a Republican caucus.

The PRESIDENT pro tempore. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 4:00 p.m., Eastern Daylight Saving Time.

AFTER RECESS

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

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

SENATOR SCANLON TO VOTE FOR SENATOR SMITH

Senator SCANLON. Mr. President, I request a legislative leave of absence for Senator Smith for the remainder of today's Session.

The PRESIDING OFFICER. The Chair hears no objection and the leave is granted.

CONSIDERATION OF CALENDAR RESUMED

REPORTS OF COMMITTEE OF CONFERENCE

BILL LAID ON THE TABLE

SB 10 (Pr. No. 1834) — Upon motion of Senator SCANLON, and agreed to, the bill was laid on the table.

REPORTS ADOPTED

SB 65 (Pr. No. 1794) — Senator SCANLON. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 65, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to condominiums.

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

MOTION TO RECOMMIT TO COMMITTEE OF CONFERENCE

Senator TILGHMAN. Mr. President, I would like to make a motion that the Committee of Conference report on Senate Bill No. 65 be rejected and that the bill be sent back to the Committee of Conference for further amendments, and after you state the motion I would like to speak on the motion.

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

PARLIAMENTARY INQUIRY

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

The PRESIDING OFFICER. The gentleman from Cambria, Senator Coppersmith, will state it.

Senator COPPERSMITH. Mr. President, is this motion in order? It is my understanding that the gentleman from Allegheny, Senator Scanlon, made a motion to adopt the report and a motion to reject the report in my understanding is out of order.

The PRESIDING OFFICER. The motion made by Senator Tilghman was to recommit, Senator Coppersmith, which takes precedence over the motion to adopt.

Senator COPPERSMITH. Mr. President, the gentleman said to reject.

The PRESIDING OFFICER. He then elaborated that he wanted to have the bill returned to the Committee of Conference.

Senator SCANLON. Mr. President, on the motion, I am requesting that the Members of our caucus vote against the motion to recommit Senate Bill No. 65 to the Committee of Conference.

Senator TILGHMAN. Mr. President, the Committee of Conference met on Senate Bill No. 65. When the bill originally came from the House, it had a portion in the bill that stated that if a municipality passed an ordinance that was stricter than Senate Bill No. 65, the municipality's ordinance would supersede.

That section was taken out of the bill in the Committee of Conference. I am not asking that that section be replaced in the bill. I would ask an affirmative vote on returning this bill to the Committee of Conference so they could insert an amendment into the bill that would state that those local communities that have already passed a bill, or an ordinance rather, that is stricter than this bill—

POINT OF ORDER

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

The PRESIDING OFFICER. The gentleman from Allegheny, Senator Scanlon, will state it.

Senator SCANLON. Mr. President, the motion to recommit in my understanding is not debatable and I would think that

the gentleman from Montgomery, Senator Tilghman, is, however, inadvertently, delving into the substance of the bill and I think the gentleman's remarks are out of order.

The PRESIDING OFFICER. The gentleman's point of order is well taken. A motion to recommit is not a debatable motion, Senator Tilghman.

Senator TILGHMAN. Mr. President, I would ask for an affirmative vote to recommit and I hope you understand the purpose of my motion.

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

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

YEAS—21

Andrews,	Hopper,	Lloyd,	O'Pake,
Bell,	Jubelirer,	Loeper,	Pecora,
Gekas,	Kelley,	Manbeck,	Price,
Greenleaf,	Kury,	Mellow,	Stauffer,
Hager,	Lewis,	Messinger,	Tilghman,
Holl,			

NAYS—27

Arlene,	Gurzenda,	Moore,	Schaefer,
Bodack,	Hankins,	Murray,	Smith,
Coppersmith,	Hess,	Orlando,	Snyder,
Corman,	Howard,	Reibman,	Stapleton,
Dwyer,	Kusse,	Romanelli,	Stout,
Early,	Lincoln,	Ross,	Zemprelli,
Fumo,	Lynch,	Scanlon,	

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 motion to adopt the Report of Committee of Conference?

Senator TILGHMAN. Mr. President, before when I was not able to speak on Senate Bill No. 65, we wanted this bill recommitting, twenty-one of us, I believe, so that a grandfather clause could be placed in the legislation which would have protected those municipalities who have already passed a law more strict than Senate Bill No. 65. We did not succeed in that effort. Those communities, many of them, are in the eastern portion of the State, including the city of Philadelphia, whose City Council passed a more stringent law to protect the tenants. In my particular district some of the townships have passed laws to protect the tenants more than they are protected in Senate Bill No. 65.

Senate Bill No. 65 is a good piece of legislation if we could grandfather in those areas that have given their tenants more protection. You see a piece of literature on your desk called "Pennsylvania Legislative Alert" that deals with tenants who are sixty-two and sixty-five years old who live in apartments. In my district there are many people under sixty-two that live in apartments.

I regret, myself, that I am going to vote against this bill because I feel so strongly that there are ordinances in effect in my Senatorial District that give greater protection to the tenants

than does this piece of legislation.

For that reason, Mr. President, I would urge my colleagues to join me in a negative vote.

Senator ROMANELLI. Mr. President, I would like to take this opportunity to urge all the Members of the Senate to vote in favor of the Committee of Conference report on Senate Bill No. 65. The adoption of this report will guarantee that all tenants of Pennsylvania will have an automatic one-year extension of their lease in the event their apartment building is to be converted to a condominium ownership.

In addition, senior citizens, regardless of their income, will be provided an additional two-year extension of their lease and all tenants will have the first right to purchase apartments. These are just a few of the protections provided tenants under Senate Bill No. 65.

The rejection of this report of the Committee of Conference will mean that tenants in five or six communities will have some protection, but those tenants in the other 2,200 Pennsylvania municipalities will continue to be left unprotected in the so-called "condo raids."

The adoption of this report will mean the end of the Philadelphia condominium moratorium. However, it will also mean that all tenants in Philadelphia will have their leases extended by at least six months beyond the termination of the moratorium and eighteen months for all senior citizens regardless of how wealthy they may be.

Rejection of this report not only hurts tenants across the Commonwealth of Pennsylvania, but the defeat of Senate Bill No. 65 will mean that protective purchasers of condominiums would not be provided with a two year warranty on all mechanical and structural parts in the condominiums; the right to receive their sales agreement; the right to compensation information on the condominiums. The Senate-House Committee of Conference received and considered over fifty amendments to Senate Bill No. 65, including the removal of the income ceiling that the House included for senior citizens' two-year leases. The House version would not have provided any protection to those senior citizens who pay less than twenty-five per cent of their income for housing. The effect of the House version would have been to exclude many of those Philadelphia area senior citizens which were to be protected. The report of the Committee of Conference guarantees those individuals will be protected. During the consideration of the Committee of Conference, no Member, and I repeat, no Member of the Committee of Conference recommended any additional tenant protection for Senate Bill No. 65.

The local option provision which was not included would not guarantee additional tenant rights but in effect would have allowed local governments to duplicate Senate Bill No. 65 as a few communities have already done. Some people attempt to compare a local option amendment to a zoning and subdivision ordinance. They believe since local governments regulate land use through zoning, that condominiums also can be regulated locally. However, condominiums are a form of property ownership and not a type of land use. The use of a building whether it is a rental unit or a condominium is still a multi-family use. There is legitimate interest in allowing local governments to

regulate land use but not who or what type of property ownership should be allowed within the community.

Senate Bill No. 65 is a result of several years of study, debate and compromise. The Committee of Conference spent more than six hours reviewing more than fifty amendments. The report of the Committee of Conference includes neither all of the provisions requested by the developers nor all of the provisions requested by the tenants.

Senate Bill No. 65 is a fair and equitable piece of legislation which will provide protection for the entire Commonwealth. The rejection of the report of the Committee of Conference will only insure that the tenants in such cities as Altoona, Reading, Williamsport and 200 other bedroom communities without condominium ordinances and 135 Allegheny County municipalities will continue with no protection.

Mr. President, I ask for a "yes" vote to Senate Bill No. 65 in order to provide a strong Statewide bill of rights for tenants.

Also, Mr President, I have placed on the desk of every Member of the Senate today a copy of a letter which I received from the Senior Citizens Lobby of Pennsylvania urging the immediate passage of the report of the Committee of Conference on Senate Bill No. 65.

Senator FUMO. Mr. President, I rise to speak on Senate Bill No. 65 to bring out something that I know bothers us but I do not know that we have really been addressing this issue. That is the bind that we seem to be in with regard to Senate Bill No. 65 is whether or not we are going to recognize in a free enterprise system the rights of people that own property.

I am torn on this issue as I am sure we all are because we constantly try to weigh things on a scale. I know we are concerned about tenants. I have heard the argument made to me by people who oppose this bill that if we have condominium conversions, there will be no more rental properties available. Quite frankly, Mr. President, I cannot buy that in a free enterprise society. I cannot see how or why we should penalize individuals that own property that want to dispose of it in the way in which they want to dispose of it. I know we have heard some very tragic stories, some very glaring stories of some alleged misuses. I know the issue of tenants' rights is an issue which is presently in vogue, but I think we have to go back and consider the very basic premise upon which the economics of this society is based, and that is our right to property rights.

If the Legislature can tell someone who owns property that they cannot dispose of it, then I think the Legislature's next step may be to start telling people how to dispose of their income and it just leads on and on and on into a socialistic society which this country is not about.

I really think we should not make light of the issue of property rights of individuals that own property. If some people are more fortunate than others and can come in and think up a way to make money out of a condominium conversion, we should not penalize them.

Mr. President, I really think we are dealing with an extremely important and basic issue which today, although it does not affect all of our constituents, if we allow the trend to begin and to continue, we do not know when it is going to affect our own individuals with one and two family dwellings and things of

that nature. We cannot close our eyes to that issue, Mr. President.

I, therefore, not with any sort of enthusiasm, but because I think it is the right thing to do, urge my colleagues to vote "yes" on Senate Bill No. 65, Mr. President.

Senator ROMANELLI. Mr. President, in regard to the statement that the gentleman from Montgomery, Senator Tilghman, made in regard to a grandfather clause, there was an amendment offered, as one of the fifty amendments offered, by one of the conferees and it fell for the lack of a second.

Senator LLOYD. Mr. President, unlike the gentleman from Philadelphia, Senator Fumo, I rise to ask that this bill not be adopted and I challenge some of the assertions that have been made here with regard to it.

The gentleman from Philadelphia, Senator Fumo, has indicated that he feels this leads in the direction of socialism. I think that the exact opposite is true here. By letting the individual localities and municipalities make decisions regarding how stringent their condominium laws will be, we are decentralizing the power in the Commonwealth of Pennsylvania to the local level and we are giving people at a local level the authority to make decisions which will affect the way they live. To impose this type of uniformity on them, I think, is incorrect.

If the reasoning behind adoption of this particular piece of legislation is that it is moving toward socialism, I think that is incorrect. I think we should give our individual municipalities the right to protect their tenants, the right to be responsive to the requests of those tenants. I think it is equally important to point out that unlike a great deal of tenant legislation which we are faced with, this affects not only the poor, but also a great segment of the middle class. Mr. President, I think because of the increasing amount of people that are utilizing rental as a means of housing we should be very, very careful before we consider passage of Senate Bill No. 65.

Mr. President, I think we should reject this particular piece of legislation and I think we should be very conscious of what we are saying when we are seeking to state reasons in its defense.

Senator HAGER. Mr. President, under Article XXII, paragraph 2, "Senators who have a personal or private interest in any measure or bill proposed or pending before the Senate shall disclose the fact to the Senate and shall not vote thereon." I wanted to disclose the fact that together with some others back in the Williamsport area I am a landlord, we have no plans to convert to condominiums but I thought I should at least expose that fact to the Senate.

Mr. President, I would like to vote on the bill if I may.

The PRESIDING OFFICER. The Chair thanks the gentleman. It is the ruling of the Chair that the interest is not of such a personal nature as to disqualify you from voting. The Chair directs that Senator Hager or any others who may be similarly situated have the obligation to vote on this proposal.

Senator TILGHMAN. Mr. President, in the previous statement of the gentleman from Allegheny, Senator Romanelli, he mentioned that nobody in the Committee of Conference suggested any amendments that were more strict than in this bill. I note that the gentleman corrected himself and said that Representative Berson did offer an amendment that was to grand-

father in certain municipalities and, therefore, in essence, he offered tenant protection that was stricter than in this bill for certain communities.

Senator PRICE. Mr. President, from the understanding that I have, if this motion fails, the Committee of Conference would meet again to consider this legislation. I speak against the motion then in support of the gentleman from Montgomery, Senator Tilghman, and others for the following two reasons:

First, the only house that has spoken on the issue so far, the House of Representatives, adopted an amendment to place it in so-called local option. They did that after considerable debate and after taking into consideration local conditions, principally in southeastern Pennsylvania, and those of us who live there know that there has been a rash of conversions starting last summer and continuing through the fall and that was at a time after this Body had considered Senate Bill No. 65 and before the House had a chance to debate it.

In response to that rash of conversions and a shortage of apartment houses and tenant units, City Council, for example, in Philadelphia adopted a moratorium in September of 1979, to last eighteen months. They did so in response to that local housing condition, a shortage of rental units and a rash of conversions to condominiums. It seems to me, Mr. President, because the House debated that issue, took it into consideration, and decided in this instance to protect the local option, that we should do likewise. That to me, Mr. President, is a fatal flaw in this Committee of Conference report.

They may say that there is lack of uniformity if we do not accept the report of the Committee of Conference which excludes that type of local option. At the moment, of course, there are zoning codes and building codes which any developer and any lawyer representing a condominium owner or one converting to such, has to search, has to look out for and has to advise his client about, so that this in itself would not be nonuniform.

Secondly, of course, we are only talking about one section in an eighty-two or eighty-three page bill, relating to conversions. In all other respects, this report would be uniform. But because of the importance of that issue locally to certain communities which have already acted, after which the House of Representatives here decided to act, I feel compelled to vote "no."

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

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

YEAS—33

- | | | | |
|--------------|------------|------------|------------|
| Andrews, | Hess, | Messinger, | Ross, |
| Bodack, | Hopper, | Moore, | Scanlon, |
| Coppersmith, | Howard, | Murray, | Schaefer, |
| Corman, | Jubelirer, | O'Connell, | Snyder, |
| Dwyer, | Kusse, | Orlando, | Stapleton, |
| Early, | Lincoln, | Pecora, | Stauffer, |
| Fumo, | Loeper, | Reibman, | Stout, |
| Gekas, | Mellow, | Romanelli, | Zemprelli, |
| Hager, | | | |

NAYS—16

- | | | | |
|---------|----------|--------|---------|
| Arlene, | Hankins, | Lewis, | O'Pake, |
|---------|----------|--------|---------|

Bell,	Holl,	Lloyd,	Price,
Greenleaf,	Kelley,	Lynch,	Smith,
Gurzenda,	Kury,	Manbeck,	Tilghman,

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

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

SB 508 (Pr. No. 1823) — Senator ZEMPRELLI. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 508, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the inspection of vehicles and mass transit vehicles and legislative approval of regulations relating to inspections.

On the question,

Will the Senate agree to the motion?

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

YEAS—49

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

NAYS—0

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

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

BILLS OVER IN ORDER

SB 985 and 986 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 552

HB 552 (Pr. No. 2432) — Senator ZEMPRELLI. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 552, and that a Committee of Conference on the part of the Senate be appointed.

On the question,

Will the Senate agree to the motion?

Senator O'PAKE. Mr. President, I would urge all of my colleagues to insist on the Senate amendments for this reason:

As all of you will recall, I am sure, thirteen months ago the Department of Public Welfare published regulations proposing

a fifty cent copayment on every Medicaid drug prescription, which would affect all Medicaid recipients purchasing drugs, and would most adversely affect the elderly, nursing home residents, and the chronically ill.

The proposed regulations, reflecting a unilateral decision by this Administration, drew wide attention, considerable concern and enormous public reaction—virtually all of it negative.

As the result of that public outcry, in July of 1979, Secretary of Welfare O'Bannon agreed to reconsider the issue, in effect delaying implementation of that copayment regulation until October 15, 1979.

Shortly thereafter a lawsuit was filed against the Department by a coalition of concerned organizations, in an attempt to prevent implementation of the copayment program.

With the new proposed effective date fast approaching, on October 2, 1979, I introduced Senate Resolution, Serial No. 59, expressing the consensus of the Senate that the copayment requirement would inflict additional and unwarranted economic burdens on financially pressed Medicaid recipients with special effect on the chronically ill senior citizens, denouncing the copayment plan as inadequate and financially unsound and strongly urging the Department of Public Welfare not to implement the plan. One week later this Senate adopted that resolution by a vote of 31 to 18.

Five days later, on October 15, 1979, a U. S. District Court handed down an injunction against the implementation of copayment on the grounds that the department did not follow correct procedures in implementing the plan, thus affecting a temporary halt to copayment.

Recognizing the temporary nature of that court decision, and the possibility that the department could later implement such an irresponsible plan, the following day I introduced Senate Bill No. 1024, which prohibits the Department of Public Welfare from initiating any such plan.

Public sentiment was now so strong in opposition to copay, that just one week later, on October 22, 1979, the House of Representatives agreed to an amendment to a Republican-sponsored bill—House Bill No. 1089—to include a prohibition against copay, and the House passed that bill by a vote of 186 to 1.

Later on that same day, October 29, 1979, Secretary O'Bannon circulated a letter to all Members of the Legislature, indicating her intention to bow to public pressure and withdraw the copayment proposal.

Again recognizing the tenuousness of such agreements, I introduced an amendment to House Bill No. 552, the subject matter of this proposal, which bill originally prohibited public assistance to certain students, and that amendment prohibited copay.

The Senate finally passed House Bill No. 552 with that amendment on November 13, 1979 by a vote of 41 to 8.

It is clear that throughout 1979 a pharmaceutical copayment proposal of Medicaid recipients was a non-partisan, broad-based issue.

Now it appears that the November, 1979, issue of Pennsylvania's Cooperative Extension Service Publication, Council Update, was prophetic when a writer pointed out and I quote "It

could be that DPW was reacting to the voice of the people by rescinding the plan, or DPW could be attempting to halt any enactment of legislation outlawing the plan in hopes of implementing it at a later date when things are a bit more calm." Now that things are more calm, we find House Bill No. 552 before us again, after the House of Representatives failed to concur in the Senate copayment amendment by a straight party line vote of 80 to 88. The Republicans in the House of Representatives, who formerly supported the prohibition against copay, have now voted solidly in support of such a copayment program.

Copayment is no less onerous and burdensome today than it was thirteen months ago. Copayment has been continuously opposed by the Pennsylvania Department of Aging, the Pennsylvania Council on Aging, the Welfare Rights Organization, the Pennsylvania Association of Community Mental Health and Mental Retardation Providers, the Pennsylvania Pharmacists' Association, the Action Alliance of Senior Citizens of Greater Philadelphia, Community Legal Services of Pennsylvania, the Pittsburgh Press, the Philadelphia Inquirer, Pennsylvania Advocates for Better Care, and the Democratic Party in the Pennsylvania Legislature.

Mr. President, I call on all of my colleagues today to protect the rights of Pennsylvania's impoverished elderly, and vote to insist on the Senate amendments to House Bill 552.

Senator BELL. Mr. President, lest some of the people who listen to the debate think this was a one-man act, I can recall being on the floor of this Senate condemning Secretary O'Bannon and her copay plan. In fact, I put in a bill prohibiting it and I put that bill in on October 29, 1979. It was about a week after I ordered the bill. Of course, I am in the Minority so my bills do not pass. It was the next day after October 29, 1979, that the basic bill in front of us was amended to prohibit copay.

Mr. President, I am going to vote to continue to prohibit copay. I am making this statement because I do not want anybody to interpret this as an entirely Democratic Party program.

Senator STAUFFER. Mr. President, although all of our Members would not agree with every single provision in House Bill No. 552, we have no objection to a move to insist, for procedural reasons, and I believe this is particularly important in light of the fact that the bill is defective in that some of its provisions have already been enacted into law. It should go to a Committee of Conference to be straightened out.

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

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

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1397 (Pr. No. 1776) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—38

Arlene, Bell, Bodack, Coppersmith, Dwyer, Early, Fumo, Gurzenda, Hankins, Hess,	Holl, Jubelirer, Kelley, Kusse, Lewis, Lincoln, Lloyd, Loeper, Lynch, Manbeck,	Mellow, Messinger, Murray, O'Connell, O'Pake, Orlando, Pecora, Reibman, Romanelli,	Ross, Scanlon, Schaefer, Smith, Snyder, Stapleton, Stauffer, Stout, Zemprelli,
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NAYS—11

Andrews, Corman, Gekas,	Greenleaf, Hager, Hopper,	Howard, Kury, Moore,	Price, Tilghman,
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A constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

HB 1530 (Pr. No. 1803) — 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—35

Arlene, Bell, Bodack, Coppersmith, Dwyer, Early, Fumo, Gurzenda, Hankins,	Holl, Jubelirer, Lewis, Lincoln, Lloyd, Loeper, Lynch, Manbeck, Mellow,	Messinger, Murray, O'Connell, O'Pake, Orlando, Pecora, Reibman, Romanelli, Ross,	Scanlon, Schaefer, Smith, Stapleton, Stauffer, Stout, Tilghman, Zemprelli,
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NAYS—13

Andrews, Corman, Gekas, Greenleaf,	Hager, Hess, Hopper,	Howard, Kury, Kusse,	Moore, Price, Snyder,
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A constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

HB 2028 (Pr. No. 2562) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—38

Arlene,	Holl,	Mellow,	Ross,
Bell,	Jubelirer,	Messinger,	Scanlon,
Bodack,	Kelley,	Murray,	Schaefer,
Coppersmith,	Kusse,	O'Connell,	Smith,
Dwyer,	Lewis,	O'Pake,	Snyder,
Early,	Lincoln,	Orlando,	Stapleton,
Fumo,	Lloyd,	Pecora,	Stauffer,
Gurzenda,	Loeper,	Reibman,	Stout,
Hankins,	Lynch,	Romanelli,	Zemprelli,
Hess,	Manbeck,		

NAYS—11

Andrews,	Greenleaf,	Howard,	Price,
Corman,	Hager,	Kury,	Tilghman,
Gekas,	Hopper,	Moore,	

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

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

HB 2146 (Pr. No. 2733) — 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—35

Arlene,	Holl,	Messinger,	Scanlon,
Bell,	Jubelirer,	Murray,	Schaefer,
Bodack,	Lewis,	O'Connell,	Smith,
Coppersmith,	Lincoln,	O'Pake,	Stapleton,
Dwyer,	Lloyd,	Orlando,	Stauffer,
Early,	Loeper,	Pecora,	Stout,
Fumo,	Lynch,	Reibman,	Tilghman,
Gurzenda,	Manbeck,	Romanelli,	Zemprelli,
Hankins,	Mellow,	Ross,	

NAYS—13

Andrews,	Hager,	Howard,	Moore,
Corman,	Hess,	Kury,	Price,
Gekas,	Hopper,	Kusse,	Snyder,
Greenleaf,			

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

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

HB 2191 (Pr. No. 2785) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—38

Arlene,	Holl,	Mellow,	Ross,
Bell,	Jubelirer,	Messinger,	Scanlon,
Bodack,	Kelley,	Murray,	Schaefer,
Coppersmith,	Kusse,	O'Connell,	Smith,
Dwyer,	Lewis,	O'Pake,	Snyder,
Early,	Lincoln,	Orlando,	Stapleton,
Fumo,	Lloyd,	Pecora,	Stauffer,
Gurzenda,	Loeper,	Reibman,	Stout,
Hankins,	Lynch,	Romanelli,	Zemprelli,
Hess,	Manbeck,		

NAYS—11

Andrews,	Greenleaf,	Howard,	Price,
Corman,	Hager,	Kury,	Tilghman,
Gekas,	Hopper,	Moore,	

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

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

BILL OVER IN ORDER

SB 1060 — Without objection, the bill was passed over in its order at the request of Senator SCANLON.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1251 (Pr. No. 1816) — 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—49

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

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 1252 (Pr. No. 1817) — 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—49

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

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 1305 (Pr. No. 1640) — Considered the third time,

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

Amend Title, page 1, line 7, by inserting after "penalties,"": redefining the term "executive-level State employee" and

Amend Bill, page 1, by inserting between lines 11 and 12:

Section 1. The definition of "executive-level State employee" in section 2, act of October 4, 1978 (P. L. 883, No. 170), referred to as the Public Official and Employee Ethics Law, is amended to read: Section 2. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Executive-level State employee." The Governor, Lieutenant Governor, cabinet members, deputy secretaries, the Governor's office staff, any State employee, including members and officials of the Pennsylvania Turnpike Commission, with discretionary powers which may affect the outcome of a State agency's decision in relation to a private corporation or business or any employee who by virtue of his job function could influence the outcome of such a decision.

Amend Sec. 1, page 1, line 12, by striking out "1." and inserting: 2.

Amend Sec. 1, page 1, line 12, by removing the com-

ma after "4" and inserting: of the
Amend Sec. 1, page 1, lines 12 through 14, by striking out "of October 4," in line 12, all of line 13; and "Employee Ethics Law," in line 14
Amend Sec. 2, page 5, line 2, by striking out "2." and inserting: 3.

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

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

BILL REREFERRED

HB 1585 (Pr. No. 2517) — Upon motion of Senator ORLANDO, and agreed to, the bill was rereferred to the Committee on Local Government.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1799 (Pr. No. 3403) — 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,	Hankins,	Loeper,	Reibman,
Arlene,	Hess,	Lynch,	Romanelli,
Bodack,	Holl,	Manbeck,	Ross,
Coppersmith,	Hopper,	Mellow,	Scanlon,
Corman,	Howard,	Messinger,	Schaefer,
Dwyer,	Jubelirer,	Moore,	Smith,
Early,	Kelley,	Murray,	Snyder,
Fumo,	Kury,	O'Connell,	Stapleton,
Gekas,	Kusse,	O'Pake,	Stauffer,
Greenleaf,	Lewis,	Orlando,	Stout,
Gurzenda,	Lincoln,	Pecora,	Tilghman,
Hager,	Lloyd,	Price,	Zemprelli,

NAYS—1

Bell,
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 ON THIRD CONSIDERATION AMENDED

HB 1840 (Pr. No. 3360) — Considered the third time,

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

MELLOW AMENDMENTS

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

Amend Table of Contents, page 3, line 25 by striking out "COMMONWEALTH LIABILITY" and inserting: Leasing Real Estate

Amend Table of Contents, page 3, line 26 by striking out "COMMONWEALTH LIABILITY." and inserting: No prohibition against leasing real estate.

Amend Sec. 103, page 11, line 17 by removing the semicolon after "contrary" and inserting a period

Amend Sec. 103, page 11, lines 17 through 19 by striking out "however, it" in line 17 and all of lines 18 and 19

Amend Sec. 302, page 26, line 14 by striking out "prevent" and inserting: control

Amend Sec. 402, page 28, line 26, by inserting after "permits.": The board shall identify the characteristics of hazardous wastes and list particular hazardous wastes within 30 days after the effective date of this section, which initial list shall not be subject to section 107 of this act but shall be promulgated in accordance with section 204(3) (relating to omission of notice proposed rule making) of the act of July 31, 1968 (P. L. 769, No. 240), referred to as the Commonwealth Documents Law.

Amend Sec. 405, page 32, line 16, by inserting after "disposed": by the grantor or to the grantor's actual knowledge

Amend Sec. 405, page 32, line 25 by removing the period after "property" and inserting: : Provided, however, That the warranty in such deed shall not be applicable to the surface area size and exact location of the disposed waste and a description of the types of hazardous wastes contained therein.

Amend Sec. 504, page 38, line 30 by inserting after "EXIST": and the host municipality

Amend Sec. 605, page 51, lines 26 through 28 by striking out "Any other statute to the contrary" in line 26, all of line 27 and "actions brought by the department pursuant to this section." in line 28

Amend Article heading, page 62, line 15 by striking out all of said line and inserting: LEASING REAL ESTATE

Amend Sec. 801, page 62, line 16 by striking out "COMMONWEALTH LIABILITY." and inserting: No prohibition against leasing real estate.

Amend Sec. 801, page 62, lines 17 through 30, page 63, line 1 by striking out all of lines 17 through 30 on page 62, and "(B)" in line 1 on page 63

Amend Sec. 1003, page 64, line 6 by striking out all of said line and inserting:

Section 402 of this act shall take effect immediately; the remainder of this act shall take effect in 60 days.

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?

HESS AMENDMENT

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

Amend Sec. 502, page 36, by inserting between lines 19 and 20:

(g) The department, upon receipt of an application for a permit, shall give written notice to each and every municipality in which the proposed hazardous waste facility will be located.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

CORMAN AMENDMENT I

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

Amend Sec. 201, page 22, line 3, by striking out "all the others." and inserting: the affected municipalities.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

KUSSE AMENDMENTS

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

Amend Table of Contents; page 2, line 28, by striking out "Approval by governing body." and inserting: Site approval board.

Amend Sec. 504, page 38, lines 23 through 30; page 39, lines 1 through 7, by striking out all of said lines and inserting:

Section 504. Site approval board.

(a) A site approval board shall be established to review and grant or deny final approval for each permit application recommended for approval by the department. A separate board shall be established in each county in which a facility is proposed to be located. The members of the board who serve in the permanent positions shall serve on each board created. The members of the board who serve in temporary positions shall be appointed as provided in subsection (b). The members in temporary positions shall serve until the permit application subject to their review is approved, or until the permit application is rejected and is no longer subject to their review.

(b) The site approval board shall consist of five permanent positions and four temporary positions as follows:

(1) Three permanent positions shall be held by representatives of the Commonwealth, one each from the Department of Health, the Department of Community Affairs, and the Department of Environmental Resources. A representative of the Commonwealth shall be appointed by each of the secretaries of the respective departments and a vacancy shall be filled as necessary by the appropriate secretary. The term of such members shall be four years.

(2) Two members shall be public members appointed by the Governor, with the advice and consent of the Senate, to fill permanent positions on the board. One public member shall be a geologist and one a chemical engineer. Each shall be on the faculty of a State institution of higher education. To assist the Governor in the selection of the public members, the respective professional organizations and township or municipal associations may submit a list of candidates to the Governor for his or her information. A vacancy shall be filled for the unexpired term in the same manner as the original appointments. The term of the public members shall be three years.

(3) Two temporary positions shall be filled by resi-

dents of the municipality in which the facility is primarily proposed to be located. The two temporary position members shall be appointed by the governing body of the municipality.

(4) Two of the temporary positions shall be filled by residents of the county where the facility is proposed to be located and shall be appointed by the county board of commissioners.

(d) The member of the board from the Department of Environmental Resources shall be chairperson of the board and shall notify the local governing body of the municipality and county government of a permit application filed with the department, and shall instruct the municipality or county to appoint the necessary representatives to the board.

(e) Five of the nine members of the board shall constitute a quorum for the transaction of business of the board and the concurrence of five members of the board shall constitute a legal action of the board. All meetings of the board shall be conducted pursuant to the Administrative Agency Law, and the act of July 19, 1974 (P. L. 486, No. 175), referred to as the Public Agency Open Meeting Law.

(f) Department of Environmental Resources shall make staff available to assist the board in carrying out its responsibilities.

(g) The decision of each site approval board to grant or deny final approval shall be appealable to the Environmental Hearing Board.

On the question,

Will the Senate agree to the amendments?

Senator KUSSE. Mr. President, when House Bill No. 1840 was approved by the House, it contained the provision that no permit or license for the disposal of hazardous waste would be granted without the written consent or approval of the governing body of the county in which the site was to be located.

It is fairly obvious that was unworkable because it is reasonable to assume that County Commissioners would turn down any suggestion that a hazardous waste disposal site be located in their county. We amended that out of House Bill No. 1840 and inserted a provision that roughly does the exact opposite. It grants to the Secretary of DER complete power to determine where these sites might be located.

Mr. President, I am suggesting a compromise to that in the form of a site approval board, a board that would be composed of nine members, five permanent and four temporary members. The five permanent members would be three from representatives of the Commonwealth, one from the Department of Health, one from the Department of Community Affairs and one from DER; and two public members appointed by the Governor with the advice and consent of the Senate. But then in order to protect the local interests, I would suggest that two temporary positions would be filled by residents of the municipality in which the facility was proposed to be located and then two temporary positions filled by residents of the county where the facility was to be located.

These amendments are identical to existing law in the State of Michigan and it has worked quite well, according to the information I have received. I think it provides a safeguard that is definitely needed. I think, especially for those of us in the rural areas and in the less populated areas, that our districts will become the logical targets, if you will, for hazardous waste disposal sites. I feel we need this protection.

Mr. President, I would urge adoption of the amendments.

Senator MELLOW. Mr. President, I find myself in a position of having to oppose the gentleman from Warren, Senator Kusse, on these particular amendments. The gentleman is correct that when the bill did pass the House of Representatives, it had a provision that would call for absolute veto at the local level. Discussions that we had with the Environmental Protection Agency out of Philadelphia at a public hearing that we held here in Harrisburg indicated to us that if that particular proposal was kept in the bill, the one important aspect of House Bill No. 1840 where Pennsylvania would be primacy under the 1976 Federal law, we would not be able to meet the requirements for primacy.

We then went back to the drawing boards and worked with the County Commissioners Association and the language that appears in Section 504 dealing with the approval by a governing body—

Mr. President, I ask for the indulgence of the members because I personally feel that this is probably the most comprehensive piece of legislation that we will be dealing with in this Session and it is absolutely the most important piece of legislation if we do not want Pennsylvania to become another Love Canal.

In Section 504, Mr. President, the language as it appears having just accepted amendments that were placed into it by the first amendments that were accepted on the suggestion of the gentleman from Centre, Senator Corman, they are the exact same amendments that were suggested to us by the County Commissioners Association, language that they said they feel extremely comfortable with. If the Department of Environmental Resources wants to override the local county recommendations, then they have to make their comments known and it has to be published in the Pennsylvania Bulletin.

I think there are enough safeguards in Section 504 as it currently exists, Mr. President, that would take care of any future problems that the gentleman from Warren, Senator Kusse, may have. If, in fact, it does not, then we can come back at some later date, Mr. President, and offer the proper amendments once we have an opportunity of seeing how the bill is working within our local levels.

Mr. President, I ask for a negative vote on the amendments.

Senator SNYDER. Mr. President, I certainly am no authority on House Bill No. 1840, but I do have some experience with the interplay of local government and State government. It would seem to me the amendments of the gentleman from Warren, Senator Kusse, makes a great deal of sense. If the House passed the bill with the requirement that there be local control, which perhaps is not too realistic, but on the other hand, if all the present bill contains is something that permits the local people to be heard and no more, or the County Commissioners to have some general advice in the matter, then certainly something in between is going to be needed sooner or later.

If I understood the gentleman from Warren, Senator Kusse, correctly in a private conversation, his plan is one that has proved successful in Michigan, I believe. All in all, it would not seem to do violence to the general thrust of the bill as I see it because with five state-appointed people and four local people it

certainly gives a chance for the discussion between the State and the local viewpoints.

Mr. President, I would think the amendments of the gentleman from Warren, Senator Kusse, make a great deal of sense under the circumstances.

Senator KELLEY. Mr. President, I think that this issue of the amendments of the gentleman from Warren, Senator Kusse, represents what a lot of us have been confronted with in government dealing with the relationship between the Federal government and the State government. So many of us have been yelling and screaming at times that the Federal government has been usurping and denying the States their proper voice, and not just a voice, but a vote.

Mr. President, I think that the amendments of the gentleman from Warren, Senator Kusse, really would be the Commonwealth beginning to commence a practice of which we have all been critical of the Federal government towards the States, we, in turn, being that way towards the municipal governments.

Mr. President, I think if we are going to preserve and have confidence in government, especially at the local level, they should retain not only the voice but also the vote. The very fact that the proposal in the amendments is a five-four situation, we are not preserving anything but a voice and the permanent members can outvote them at any time, the five members being State members or Commonwealth members. It is just a commencement of the road going down, you might say, the destructive path that the Federal government has towards us and we would not do it to our own municipalities.

Senator BELL. Mr. President, I support the gentleman from Lackawanna, Senator Mellow.

Recently there was a proposal of the City of Philadelphia to dump sludge in Chester County upstream from the reservoir from whence came the drinking water for much of my district. If the amendments of the gentleman from Warren, Senator Kusse, were put in, these would let the county officials, the township officials where they dump sludge, have a good bit to say as to the water that would be drunk in my district.

Senator MELLOW. Mr. President, just one final note. The most important part of this particular proposal is that Pennsylvania will have primacy and what I am afraid of is that if we do accept the new Section 504 as proposed by the gentleman from Warren, Senator Kusse, it could jeopardize the possibility of primacy under the Federal Act for Pennsylvania.

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

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

YEAS—17

Andrews,	Hess,	Kusse,	O'Connell,
Corman,	Hopper,	Loeper,	Pecora,
Dwyer,	Howard,	Manbeck,	Snyder,
Gekas,	Jubelirer,	Moore,	Stauffer,
Hager,			

NAYS—31

Bell,	Holl,	Messinger,	Scanlon,
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Bodack,	Kelley,	Murray,	Schaefer,
Coppersmith,	Kury,	O'Pake,	Smith,
Early,	Lewis,	Orlando,	Stapleton,
Fumo,	Lincoln,	Price,	Stout,
Greenleaf,	Lloyd,	Reibman,	Tilghman,
Gurzenda,	Lynch,	Romanelli,	Zemprelli,
Hankins,	Mellow,	Ross,	

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?

O'CONNELL AMENDMENT

Senator O'CONNELL, by unanimous consent, offered the following amendment:

Amend Sec. 104, page 14, line 5, by removing the semicolon after "plan" and inserting: including a proposal for the siting of hazardous waste disposal plants, which plan shall give first consideration to State-owned land.

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

Senator O'CONNELL. Mr. President, my amendment proposes to have the siting of hazardous waste disposal plants which plans shall give first consideration to State-owned lands. In several areas of the Commonwealth there are State-owned lands that may be available for the disposal of hazardous waste and it is the considered opinion of a good many people that some of these situations may be ideal and should be considered.

Senator MELLOW. Mr. President, once again I have to oppose this amendment. Also in our discussions and our two public hearings, this particular proposal was advanced. However, the point I think has to be made is that we would like to develop, we would like to have private industry develop on private land where people would be paying taxes and not necessarily use State-owned land.

The discussion that we had with the Secretary of Environmental Resources, if we find that we are at an impasse where we do not have private industry developing private land or it may not be available, we then will consider the State-owned land. But first we would like to try to develop the private sector before we go ahead and lien on the State property so I would ask for a negative vote.

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

The yeas and nays were required by Senator O'CONNELL and were as follows, viz:

YEAS—10

Gekas,	Hopper,	Moore,	Pecora,
Hager,	Jubelirer,	O'Connell,	Snyder,
Hess,	Manbeck,		

NAYS—38

Andrews,	Gurzenda,	Loeper,	Romanelli,
Arlene,	Hankins,	Lynch,	Ross,

Bell,	Holl,	Mellow,	Scanlon,
Bodack,	Howard,	Messinger,	Schaefer,
Coppersmith,	Kelley,	Murray,	Smith,
Corman,	Kury,	O'Pake,	Stapleton,
Dwyer,	Kusse,	Orlando,	Stauffer,
Early,	Lewis,	Price,	Stout,
Fumo,	Lincoln,	Reibman,	Zemprelli,
Greenleaf,	Lloyd,		

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?

CORMAN AMENDMENT II

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

Amend Sec. 104, page 13, lines 20 through 22, by striking out "appoint such advisory committees as the secretary" in line 20, all of line 21 and "carrying out the provisions of this act." in line 22 and inserting: nominate for appointment by the Governor an advisory committee consisting of 23 members, which shall include one representative of the Department of Agriculture, Department of Commerce, Department of Community Affairs, State Planning Board, Pennsylvania State Association of Township Supervisors, Pennsylvania State Association of Township Commissioners, Pennsylvania State Association of Boroughs, Pennsylvania League of Cities, Pennsylvania State Association of County Commissioners, Pennsylvania Municipal Authorities Association, Pennsylvania State University, Drexel Institute of Technology, Pennsylvania State Grange, Pennsylvania Farmers' Association, Pennsylvania Home Builders' Association, Pennsylvania Cannery and Food Processors Association, Pennsylvania Society of Professional Engineers and the Refuse Disposal Association of Pennsylvania.

On the question,

Will the Senate agree to the amendment?

Senator CORMAN. Mr. President, in Section 104, page 13, lines 20 to 22, it provides that we shall "appoint such advisory committees as the secretary deems necessary and proper to assist the department in carrying out the provisions of this act." This does not mean that there will be an advisory committee appointed, it just says that the secretary may appoint one if he deems it necessary.

Whenever we passed the Solid Waste Act several years ago, at that time we provided in that act a specific advisory committee and my amendments would reappoint that same specific advisory committee to be the same advisory committee in this particular Hazardous Waste Act.

Mr. President, it is because local government feels since we are dealing in their territory, they ought to have some say as only advisors in this particular incident. The organizations that would comprise this advisory committee are as follows: You shall include one representative from the Department of Agriculture, from the Department of Commerce, Department of Community Affairs, State Planning Board, Pennsylvania State Association of Township Supervisors, Pennsylvania State Association of Township Commissioners, Pennsylvania State As-

sociation of Boroughs, Pennsylvania League of Cities, Pennsylvania State Association of County Commissioners, Pennsylvania Municipal Authorities Association, Pennsylvania State University, Drexel Institute of Technology, Pennsylvania State Grange, Pennsylvania Farmers' Association, Pennsylvania Home Builders' Association, Pennsylvania Cannery and Food Processors Association, Pennsylvania Society of Professional Engineers and the Refuse Disposal Association of Pennsylvania. These are people that would be definitely involved in this kind of legislation and I feel that they would make a good advisory committee and I would ask my colleagues to support this amendment.

Senator MELLOW. Mr. President, once again I rise to oppose the particular amendment that has been offered. I believe in the amendment that is offered by the gentleman from Centre, Senator Corman, it locks in twenty-three members to an advisory committee. The discussions once again that we have had with the Secretary of Environmental Resources, Clifford Jones, he would like to have, and I believe he should have, the jurisdiction and the latitude to appoint whomever he feels should be appointed to an advisory committee if in fact an advisory committee must be appointed at all.

I think, also, Mr. President, we must point out that when the original Solid Waste Act was passed several years ago, we did not have an Environmental Quality Board and a number of people that the gentleman from Centre, Senator Corman, would like to appoint to the advisory committee are today members of the Environmental Quality Board, the board that will be charged with the promulgation of the rules and regulations. I would ask a negative vote on this particular amendment and basically would accept the same roll call as the one on the previous amendment.

And the question recurring,

Will the Senate agree to the amendment?

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

YEAS—16

Andrews,	Hess,	Kusse,	O'Connell,
Corman,	Hopper,	Loeper,	Pecora,
Dwyer,	Howard,	Manbeck,	Price,
Gekas,	Jubelirer,	Moore,	Snyder,

NAYS—32

Arlene,	Hager,	Lynch,	Ross,
Bell,	Hankins,	Mellow,	Scanlon,
Bodack,	Holl,	Messinger,	Schaefer,
Coppersmith,	Kelley,	Murray,	Smith,
Early,	Kury,	O'Pake,	Stapleton,
Fumo,	Lewis,	Orlando,	Stauffer,
Greenleaf,	Lincoln,	Reibman,	Stout,
Gurzenda,	Lloyd,	Romanelli,	Zemprelli,

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

The PRESIDING OFFICER. House Bill No. 1840 will go over, as amended.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2000 (Pr. No. 2511) — 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—49

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

NAYS—0

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

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

HB 2231 (Pr. No. 3300) — 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—49

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

NAYS—0

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

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

HB 2527 (Pr. No. 3316) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—46

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

NAYS—3

Bell, Greenleaf, Snyder,

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

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

RECESS

Senator SCANLON. Mr. President, at this point, I would like to ask for a short recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held immediately in the room to the rear of the Chamber.

The PRESIDING OFFICER. At the request of Senator Scanlon, the Senate will stand in brief recess for the purpose of a meeting of the Committee on Rules and Executive Nominations which will commence immediately in the Rules Committee room. Will all the Members of the Committee on Rules and Executive Nominations please go to the Rules Committee room? The Senate stands in recess.

AFTER RECESS

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

REPORT FROM COMMITTEE ON
RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE STATE BOARD OF AUCTIONEER
EXAMINERS

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard James Moyer, 2 Bonnie Brae Road, Spring City 19475, Chester County, Nineteenth Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve until December 31, 1982, and until his successor is appointed and qualified, vice Mark W. Kistler, Emmaus, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF AUCTIONEER EXAMINERS

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wylie S. Rittenhouse, 9 Derck Avenue, Uniontown 15401, Fayette County, Thirty-second Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve until July 12, 1982, and until his successor is appointed and qualified, vice Charles J. Behm, Wind Ridge, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF CHEYNEY STATE COLLEGE

April 8, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael Coard, 3623 Percy Street, Philadelphia 19140, Philadelphia County, Third Senatorial District, for appointment as a student member of the Board of Trustees of Cheyney State College, to serve for three years or for so long as he is a full-time undergraduate student in attendance at the college, whichever period is shorter, vice Jerome Burt, Cheyney, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David E. Fox, D.D.S., 1125 Hower Lane, Philadelphia 19115, Philadelphia County, Sixth Senatorial District, for appointment as a member of the State Dental Council and Examining Board, to serve for a term of six years and until his successor shall have been appointed and qualified, vice Dr. Donald S. Mayes, Sunbury, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. McDermott, D.D.S., 2520 Greenboro Lane, Pittsburgh 15220, Allegheny County, Forty-second Senatorial District, for reappointment as

a member of the State Dental Council and Examining Board, to serve for a term of six years and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

April 14, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leo Petrini (public member), 524 Bigham Road, Pittsburgh 15211, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Dental Council and Examining Board, pursuant to Act 292, approved November 26, 1978, to serve for a term of six years and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF HAMBURG CENTER

March 19, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry O. Ludwig, 309 Harvard Boulevard, Lincoln Park, Reading 19609, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice Mrs. Marion R. Anspach, Jones-town, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES OF HAMBURG CENTER

April 3, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Rose S. Sack, 1521 North Fifteenth Street, Reading 19604, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1983, and until her successor is appointed and qualified, vice Forrest D. Kistler, Kutztown, resigned.

DICK THORNBURGH.

MEMBER OF THE STATE HARNESS RACING COMMISSION

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James B. Eckenrode, Jr., 304 Twin Hills Drive, Pittsburgh 15216, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years, and until his successor shall have been appointed and qualified, vice P. H. Licastro, State College whose term expired.

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD OF EXAMINERS OF
LANDSCAPE ARCHITECTS**

April 11, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry M. Schadel, Jr. (public member), 348 Dale Road, Bethel Park 15102, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Landscape Architects, pursuant to Act 292, approved November 26, 1978, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period.

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD OF
OPTOMETRICAL EXAMINERS**

February 29, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eileen W. Leibowitz (public member), 160 Sandy Ridge Road, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Optometrical Examiners, pursuant to Act 292, approved November 26, 1978, to serve for a term of four years, and until her successor shall have been appointed and qualified.

DICK THORNBURGH.

**MEMBER OF THE STATE BOARD OF
OPTOMETRICAL EXAMINERS**

March 19, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate E. James Phillips, Jr. (Public Member), 257 River Street, Forty Fort 18704, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Board of Optometrical Examiners, pursuant to Act 292, approved November 26, 1978, to serve for a term of four years, and until his successor shall have been appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE BOARD OF PARDONS

February 28, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederick Wells Hill, Esquire, 913 Cherokee Street, Pittsburgh 15219, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Board of Pardons, to serve until November 30, 1985 and until his successor is appointed and qualified, vice Richard W. Rogers, Esquire, Norristown, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF PHARMACY

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert Bruce Miller,

Box 444, R. D. # 3, East Stroudsburg 18301, Monroe County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years, or until his successor is appointed and qualified, vice Donald Bell, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF PHARMACY

March 31, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Anthony Mosso, 319 Carolyn Avenue, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years, or until his successor is appointed and qualified, vice George J. Haggerty, Pittsburgh, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE PLANNING BOARD

February 29, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert Goode, 1932 Murdoch Street, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Planning Board, to serve until December 13, 1983, and until his successor is appointed and has qualified, vice Irving Hand, Camp Hill, whose term expired.

DICK THORNBURGH.

**MEMBER OF THE WORKMEN'S COMPENSATION
APPEAL BOARD**

March 18, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold V. Fergus, Jr., 102 LeMoyné Avenue, Washington 15301, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Workmen's Compensation Appeal Board, to serve until the third Tuesday of January, 1983 and until his successor shall have been appointed and qualified, vice Arthur H. Reede, State College, whose term expired.

DICK THORNBURGH.

**MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE**

May 7, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Olive J. Evans (Republican), 307 Warren Street, Scranton 18508, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 1981, and until her successor is duly appointed and qualified, vice Mrs. Constance Johnston, Scranton, Terminated-By-Law.

DICK THORNBURGH.

MEMBER OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

May 7, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth Julia (Republican), R. D. # 1, Finch Hill, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 1981, and until her successor is duly appointed and qualified, vice Mrs. Mary Mayer, Scranton, Terminated-By-Law.

DICK THORNBURGH.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator FUMO,

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

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

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

NOMINATIONS TAKEN FROM THE TABLE

Senator FUMO. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for James B. Eckenrode, Jr., as a member of the State Harness Racing Commission.

On the question,

Will the Senate advise and consent to the nomination?

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

YEAS—41

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

NAYS—8

Corman,	Greenleaf,	Lloyd,	O'Pake,
Dwyer,	Jubelirer,	Loeper,	Pecora,

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

Ordered, That the Governor be informed accordingly.

NOMINATIONS LAID ON THE TABLE

Senator FUMO. Mr. President, I request that the nominations of Harry O. Ludwig and Rose S. Sack, as members of the Board of Trustees of Hamburg Center, be laid on the table.

The PRESIDING OFFICER. These nominations will be laid on the table.

NOMINATIONS TAKEN FROM THE TABLE

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

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—49

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

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

RECESS

Senator ZEMPRELLI. Mr. President, with the indulgence of the Chair and for the information of the Members of the Democratic caucus, I am requesting a short recess of the Senate for the purpose of a Democratic caucus in the Rules Committee room. It is a caucus for information purposes only. It is a short caucus and it relates to a very important subject matter. If we can recess now, Mr. President, I assure you we will not be there more than five minutes.

Senator HAGER. Mr. President, I would ask the Republican Members to come to their caucus room for a short but informative session.

The PRESIDING OFFICER. The Senate will stand in recess for the purpose of a Democratic caucus in the Rules Committee room and a Republican caucus in the Minority caucus room.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED**SECOND CONSIDERATION CALENDAR****BILL OVER IN ORDER**

SB 765 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

**BILL ON SECOND CONSIDERATION
REVERTED TO PRIOR PRINTER'S NUMBER
AND REREFERRED**

HB 1111 (Pr. No. 3340) — The bill was considered.

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

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator STAPLETON. Mr. President, I move that House Bill No. 1111 revert to the form it was in under Printer's No. 3052.

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

Senator DWYER. Mr. President, I oppose the motion to revert and ask for a roll call vote.

Mr. President, House Bill No. 1111 as it passed the House of Representatives contained provisions which applied to only twelve school districts in the Commonwealth. It would have permitted eleven school districts to consider de-reorganization because of their great size, anything in excess of 375 square miles.

In the House, they included one additional school district which also had problems caused by reorganization which was not included in the size provisions of House Bill No. 1111. In the Senate Committee on Education, House Bill No. 1111 was amended to include any reorganized school district in the State.

School reorganization has been in effect a minimum of eight years, from eight years on up in the school districts in Pennsylvania. It has been very successful in many school districts, but in a few districts there are problems. There are problems in some of those eleven large districts. There are problems in the one additional district where it was amended in the House. There are also problems in a few other districts in the State.

I think we should treat all districts with equity and fairness and if there are problems, let them consider the de-reorganization process just as the original version of the bill would have let the eleven large districts consider de-reorganization or disorganization, however you want to term it.

There are many other factors other than just geographical size which have caused problems in the school districts. There are geographical boundaries of rivers, mountains, demographic situations, things of this nature which have caused problems in many of the districts.

This will not lead to a willy-nilly de-reorganization if you read

the bill or the analysis or the information from the School Action Committee of Swarthmore Rutledge, I would refer you to paragraph 3, mechanism, where it means first of all the procedures it would have to go through would be the local school board would have to decide that there was a serious enough problem in that district that educational progress could be better accomplished by dividing that district into two or more districts.

The local school board, after making that determination, would then have to develop a plan of de-reorganization, of dividing the district. That plan must be submitted to the State Board of Education. The decision of the State Board of Education could or could not be appealed to the Commonwealth Court. If it is not appealed to the Commonwealth Court, then it would go to the voters. If it is appealed to the Commonwealth Court and the Commonwealth Court upholds the plan, then it would finally go to the voters in that district.

My point is that it would have to be an extremely serious problem for a district to be permitted to de-reorganize. There are districts in the State that do have these serious problems. Many of them are in your individual Senate Districts.

I would point out on page 2 of the bill, the standard that will be considered would be to accelerate the progress of public education. In other words, if the reorganization has impeded the progress of public education, that would be the standard then that would be used to determine whether or not de-reorganization or the division of that school district into two or more districts would be approved by the local board, by the State Board, perhaps by the Commonwealth Court and finally in a referendum in a regular election by the voters in that particular district.

Mr. President, I believe we have to start somewhere. Of the twelve affected districts that are in the bill presently, I only know of two districts that really want to reorganize at this present time. The gentleman from Crawford, Senator Dwyer, and the gentleman from Delaware, Senator Loeper, went into detail about the bill and it is a very complex bill and certainly to have a reorganization will not be a simple matter. There are three main steps that are necessary to follow which are outlined. At this point in time, Mr. President, I feel that if we can start with the twelve districts and we find that a couple of them have decided to go through with the procedures and are able to reorganize, we can then further amend the bill and include the 505 school districts of this Commonwealth.

Mr. President, I would urge a "no" vote and ask for a roll call.

Senator LINCOLN. Mr. President, I rise to support the motion to revert to the prior printer's number. I agree with the gentleman from Crawford, Senator Dwyer, that there are quite a few school districts that have problems. But, I think the seriousness of the twelve school districts, the problems of the twelve school districts involved in House Bill No. 1111 as it originally came to the Senate are such that at this time I think we should concentrate on allowing some relief to those particular school districts in question.

Mr. President, I have a very difficult time with the law as it is written. I think it is restrictive to the point that it is almost ri-

diculous. The Department of Education, because of the law and because of certain court decisions, is forbidden to even take slight steps towards alleviating problems within some of these districts. I think it is something of which we should take an overall view. I think it might be a good idea for the Committee on Education after House Bill No. 1111 is in effect, to take a look at the twelve school districts and use them as examples for what might be done to help the other school districts involved across the Commonwealth.

Mr. President, at this time I think House Bill No. 1111 as originally drafted and passed and sent to us from the House is the way we should go.

Senator LOEPER. Mr. President, I rise in support of the motion to revert to the prior printer's number. I believe for the many reasons expressed by the gentleman from Indiana, Senator Lincoln, that we have a piece of legislation here that deals with school demerger.

I think as we spoke in the Committee on Education in discussions about this bill, that in the past eight or ten years, school mergers throughout the Commonwealth have essentially been overwhelmingly successful. However, any law that we pass within this Legislature, it always seems that there are the few exceptions or the cases that do not apply and are not 100 per cent successful.

Mr. President, I believe these twelve districts demonstrate that particular characteristic. I think what we are doing by reverting to the prior printer's number in House Bill No. 1111 is giving these boards the opportunity to investigate the possibility of demerger. We are not mandating demerger in these particular areas, but we are giving the option back to the local school directors.

Mr. President, I rise in support of the motion to revert back to the prior printer's number and would ask for a "yes" vote.

Senator BELL. Mr. President, very seldom do I differ from my colleague, the gentleman from Delaware, Senator Loeper, but now that I am coming to a point where I am going to vote, I am going to be consistent.

I was here in this Senate when the first school reorganization bill passed. It was strongly supported by then Senator Shafer, who later became Governor Shafer. I opposed it on the basis that the local parents, the local school directors knew what was best for the local children and they did not need big brother up here to carve the school districts up.

Later, as I recall, we had another go around during the Scranton Administration, another go around in the Shafer Administration and the reorganization bill was slightly changed.

Governor Shapp then became a candidate. He came into my county and he promised many of my neighbors that if we passed a bill that would change the school reorganization law so that local people could have the right to determine how their school district should be formed, he would sign it. As I was just checking with the gentleman from Crawford, Senator Dwyer, we did pass such a bill and he vetoed it.

Mr. President, consistently over the years I have always voted to let the local school directors who are elected by their neighbors, who are advised by the parents of the children, to

determine what is best for the children with respect to school districts.

Therefore, I support the gentleman from Crawford, Senator Dwyer, as I did nine years ago because we cannot just say to the local school directors, the local children, the local parents, that they do not know what is good for themselves, that we in Harrisburg know all the answers.

Senator STAPLETON. Mr. President, first of all I am very pleased to have the support of the gentleman from Crawford, Senator Dwyer, and I certainly appreciate the remarks of the gentleman from Delaware, Senator Loeper.

It seems that the only difference that the gentleman from Crawford, Senator Dwyer, and some of us have is the fact that the bill is drafted for twelve districts and there is a view from some Senators that they would like to include the 505 school districts.

Mr. President, I believe we have to start somewhere. Of the twelve affected districts that are in the bill presently, I only know of two districts that really want to reorganize at this present time. The gentleman from Crawford, Senator Dwyer, and the gentleman from Delaware, Senator Loeper, went into detail about the bill and it is a very complex bill and certainly to have a reorganization will not be a simple matter. There are three main steps that are necessary to follow which are outlined. At this point in time, Mr. President, I feel that if we can start with the twelve districts and we find that a couple of them have decided to go through with the procedures and are able to reorganize, we can then further amend the bill and include the 505 school districts of this Commonwealth.

Mr. President, I would be hopeful that the Senators on both sides of the aisle would vote to revert to the prior printer's number and give us an opportunity to put this legislation into effect.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—35

Bodack,	Kelley,	Murray,	Scanlon,
Coppersmith,	Kury,	O'Connell,	Smith,
Fumo,	Lewis,	O'Pake,	Snyder,
Gekas,	Lincoln,	Orlando,	Stapleton,
Hager,	Lloyd,	Pecora,	Stauffer,
Hankins,	Loeper,	Price,	Stout,
Hess,	Manbeck,	Reibman,	Tilghman,
Hopper,	Messinger,	Romanelli,	Zemprelli,
Jubelirer,	Moore,	Ross,	

NAYS—11

Andrews,	Dwyer,	Gurzenda,	Kusse,
Bell,	Early,	Holl,	Schaefer,
Corman,	Greenleaf,	Howard,	

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

The PRESIDING OFFICER. The Senate now has before it House Bill No. 1111, Printer's No. 3052.

On the question,

Will the Senate agree to the bill on second consideration?

MOTION TO REREFER

Senator ZEMPRELLI. Mr. President, I move that House Bill No. 1111 be rereferred to the Committee on Appropriations.

The motion was agreed to.

The PRESIDING OFFICER. House Bill No. 1111 will be rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION AMENDED

HB 1145 (Pr. No. 2226) — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Title, page 1, line 16, by inserting after "ORDINANCES": clarifying language for the determination of certain assessments.

Amend Bill, page 2, by inserting between lines 26 and 27:

Section 2. Clause (w) of subsection B of section 4 of the act, added April 10, 1980 (No. 41), is amended to read:

Section 4. Purposes and Powers; General.—***

B. Every Authority is hereby granted, and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes, including but without limiting the generality of the foregoing, the following rights and powers:

(W) An Authority, created to provide business improvements and administrative services, may impose an assessment on each benefited property within a business improvement district which shall be based upon the estimated cost of the improvements or services in such district stated in the planning or feasibility study.

Such individual assessments shall be determined by one of the following methods:

(1) By an assessment determined by multiplying the total improvement or service cost by the ratio of the assessed value of the benefited property to the total assessed valuation of all benefited properties in the district.

(2) By an assessment upon the several properties in the district in proportion to benefits as ascertained by viewers appointed in accordance with municipal law.

No assessment or charge shall be made unless such Authority has submitted the plan for business improvements and administrative services together with estimated costs and the proposed method of assessments for business improvements and charges for administrative services to the municipality in which the project is to be undertaken and the municipality shall have approved the plan, the estimated costs and the proposed method of assessment and charges.

There shall not be assessed any charges against the improved properties an aggregate amount in excess of the estimated cost.

Such Authority may by resolution authorize the payment of the assessment or charge in equal annual, or more frequent installments over such time and bearing interest at such rate not in excess of six per centum as may be specified in the resolution. Where bonds shall have been issued and sold, or notes or

guarantees given or issued, to provide for the cost of the improvements or services the assessment in equal installments for bond repayment shall not be payable beyond the term for which the bonds, notes or guarantees are payable.

Claims to secure the assessments shall be entered in the prothonotary's office of the county at the same time and in the form and shall be collected in the same manner as municipal claims are filed and collected notwithstanding the provisions of this section as to installment payments.

In the case of default in the payment of any installment and interest for a period of sixty days after it becomes due, the entire assessment and accrued interest shall be due.

Any owner of property, against whom an assessment has been made, may pay the same in full, at any time, with accrued interest and costs thereon, and such payment shall discharge the lien of such assessment.

Amend Sec. 2, page 2, line 27, by striking out "2" and inserting: 3

Amend Sec. 3, page 2, line 28, by striking out "3. This" and inserting:

4. Except for section 2 of this act which shall take effect on June 9, 1980, the remainder of this

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

SB 1253 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILLS ON SECOND CONSIDERATION

SB 1341 (Pr. No. 1818), SB 1342 (Pr. No. 1819), SB 1343 (Pr. No. 1722), SB 1344 (Pr. No. 1820), SB 1345 (Pr. No. 1703), SB 1346 (Pr. No. 1704), SB 1347 (Pr. No. 1705), SB 1375 (Pr. No. 1821) and SB 1376 (Pr. No. 1744) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 1527, 1528 and 1608 — Without objection, the bills were passed over in their order at the request of Senator ZEMPRELLI.

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE SUBMITTED

Senator LEWIS submitted the Report of Committee of Conference on **SB 316**, which was placed on the Calendar.

SENATE CONCURRENT RESOLUTION**DESIGNATING JULY 18, 1980 AS
"NATIONAL POW/MIA RECOGNITION DAY"**

Senators GREENLEAF, GEKAS, STOUT and BODACK offered the following resolution (Serial No. 236), which was read and referred to the Committee on Military and Veterans Affairs:

In the Senate, May 28, 1980.

WHEREAS, The United States has fought in many wars;
WHEREAS, Thousands of Americans who served in such wars were captured by the enemy or are missing in action;

WHEREAS, Many American prisoners of war were subjected to brutal and inhuman treatment by their enemy captors in violation of international codes and customs for the treatment of prisoners of war and many such prisoners of war died from such treatment;

WHEREAS, It is uncertain whether those Americans missing in action are alive or dead and such uncertainty has caused their families to suffer acute hardship; and

WHEREAS, The sacrifices of American prisoners of war and Americans missing in action and their families are deserving of national recognition; therefore be it

RESOLVED (The House of Representatives concurring), That the General Assembly memorializes the Governor, Dick Thornburgh, to designate July 18, 1980 as "National POW/MIA Recognition Day," and call upon the people of Pennsylvania to observe that day with appropriate ceremonies and activities; and be it further

RESOLVED, That a copy of this resolution be sent to the Honorable Dick Thornburgh, Governor of the Commonwealth of Pennsylvania.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Rt. Rev. Msgr. Joseph A. Baran by Senators O'Pake and Gurzenda.

Congratulations of the Senate were extended to Rev. Paul M. Pekarik by Senators O'Pake and Messinger.

Congratulations of the Senate were extended to Saint Joseph's Roman Catholic Church of Pottsville by Senator Gurzenda.

Congratulations of the Senate were extended to The Reverend Monsignor Stephen Chehansky by Senator Reibman.

Congratulations of the Senate were extended to the Greater Olney Community Council, Incorporated by Senator Price.

Congratulations of the Senate were extended to Dr. Lawrence L. Pelletier by Senator Dwyer.

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

BILL SIGNED

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

HB 2527.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA**COMMITTEE MEETINGS**

MONDAY, JUNE 2, 1980

11:30 A.M.	JUDICIARY (to consider House Bill No. 1624 and the nomination of Clarence Morrison, as Judge of the Court of Common Pleas, Dauphin County)	Room 461, 4th Floor Conference Rm., North Wing
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WEDNESDAY, JUNE 4, 1980

10:00 A.M.	PUBLIC HEALTH AND WELFARE (Public Hearing on House Bill No. 2044)	Auditorium, Wm. Penn Memorial Museum, Harrisburg, PA
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12:00 Noon	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 778 and House Bill No. 2012)	Auditorium, William Penn Memorial Museum, Harrisburg, PA
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THURSDAY, JUNE 5, 1980

10:00 A.M.	LABOR AND INDUSTRY (Public Hearing on Senate Bills No. 141, 147, 548, 556, 557, 639, 656, 698, 712, 713, 714, 715, 716, 717, 718, 719, 793, 839, 884, 895, 1128 and 1164)	Room 461, 4th Floor Conference Rm., North Wing
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TUESDAY, JUNE 10, 1980

10:00 A.M.	EDUCATION (to consider Senate Bills No. 1199, 1204 and 1283)	Room 461, 4th Floor Conference Rm., North Wing
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10:30 A.M.	LABOR AND INDUSTRY (to consider Senate Bills No. 793, 796, 941; House Bills No. 421 and 1859)	Room 460, 4th Floor Conference Rm., North Wing
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WEDNESDAY, JUNE 11, 1980

10:00 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing on House Bill No. 2044) Auditorium, Wm. Penn Memorial Museum, Harrisburg, PA

THURSDAY, JUNE 12, 1980

9:00 A.M. LOCAL GOVERNMENT to (Public Hearing on Senate Bills No. 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337 and 1338) Room 461, 4th Floor Conference Rm., North Wing

THURSDAY, JUNE 19, 1980

10:00 A.M. Special Senate Committee to Investigate the Laws and Regulations Affecting the Taxation of Public Utilities, which is Senate Resolution No. 68 (Public Hearing) Room 461, 4th Floor Conference Rm., North Wing

FRIDAY, JUNE 20, 1980

10:00 A.M. Special Senate Committee to Investigate the Laws and Regulations Affecting the Taxation of Public Utilities, which is Senate Resolution No. 68 (Public Hearing) Room 461, 4th Floor Conference Rm., North Wing

THURSDAY, JUNE 26, 1980

10:00 A.M. PUBLIC HEALTH AND WELFARE (Public Hearing on House Bill No. 2044) Auditorium, Wm. Penn Memorial Museum, Harrisburg, PA

ADJOURNMENT

Senator ZEMPRELLI. Mr. President, I move that the Senate do now adjourn until Monday, June 2, 1980, at 3:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:25 p.m., Eastern Daylight Saving Time.