

Legislative Journal

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SENATE

WEDNESDAY, July 2, 1980.

The Senate met at 10:00 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, the Reverend R. ALLEN McVICKER, Pastor of Camp Hill Alliance Church, Camp Hill, offered the following prayer:

Almighty God, our heavenly Father, we thank You for the many ways and many blessings You have allowed us to enjoy. We thank You for Your graciousness and Your tenderness in meeting our needs. We still have needs, Father, for we realize that we are not sufficient within ourselves. We need patience, patience with each other, temperance in action, and a greater love for one another. We make known our request for wisdom for our own selves.

For each Senator here today, we ask that they will have the wisdom of God as they make decisions relative to the matters of State. Give them separated minds so that they may differentiate between their personal matters and the matters of the people. Help them to concentrate upon these things. Put the needs of the people before their personal likes and dislikes. We need Your help and we ask You to counteract any other power. We ask that You will be in complete charge of this Senate room. We ask for Thy will to be done. We so ask it in the name of the Father, the Son and the Holy Ghost. Amen.

JOURNAL APPROVED

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

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

SENATOR ROSS TO VOTE FOR SENATOR SCANLON, SENATOR MELLOW AND SENATOR LLOYD

Senator ROSS. Mr. President, I ask for a legislative leave for Senator Scanlon and Senator Mellow. They are attending meetings. They should be here shortly, but if they are not, I will be voting them.

I also ask for a legislative leave for Senator Lloyd.

The PRESIDENT. The Chair hears no objections and the leaves are granted.

SENATOR HAGER TO VOTE FOR SENATOR CORMAN, SENATOR PRICE, SENATOR JUBELIRER AND SENATOR MOORE

Senator HAGER. Mr. President, Senator Ross is about to be handed a request for a legislative leave for Senator Lloyd also for today and we would have no objection to that. I just got a copy on it as I walked in the door. He has requested his leave be continued into the day.

I would like to ask legislative leave for Senator Corman, Senator Price, Senator Jubelirer and Senator Moore, who are on legislative duties here in the Capitol. They will be joining us, but until they do, I should like to vote them.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

COMMUNICATION FROM THE GOVERNOR APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor:

SB 1246.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 569**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 2534**, which was referred to the Committee on Professional Licensure.

He also presented for concurrence **HB 2266**, which was referred to the Committee on Public Health and Welfare.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 2664, 2674, 2675, 2676, 2696, 2697, 2713 and 2714.**

BILLS SIGNED

The President (Lieutenant Governor William W. Scranton III) in the presence of the Senate signed the following bills:

SB 543, 764, 1300, 1397, HB 1111, 2664, 2666, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714 and 2715.

**SENATOR ROSS TO VOTE FOR
SENATOR ROMANELLI AND SENATOR SMITH**

Senator ROSS. Mr. President, I also would request legislative leave for Senator Lloyd, Senator Romanelli and Senator Smith.

The PRESIDENT. The Senate has already granted legislative leave of absence for Senator Lloyd.

The Chair hears no objection and the leaves are granted.

PERMISSION TO ADDRESS SENATE

Senator FUMO asked and obtained unanimous consent to address the Senate.

Senator FUMO. Mr. President, I would like to discuss last night.

Mr. President, after contemplation last night and some consultation this morning, I would like to clarify in the record so that we do not set any precedent which I would not like to see in the Senate concerning a Senator not voting while on the floor.

As you are aware and as the Journal will reflect, last night I did not vote while I was present on the floor. I would like to clarify the reasons why and perhaps straighten that out as best I can lest we set that precedent.

During the heated debate on one of the motions—and I forget which one it was because there were so many at the time, one compounding the other—I was confused and unaware as to exactly what the question was. I attempted to be recognized during the roll call but I can only assume that in the confusion there was not an awful lot of feeling to allow that roll call to be interrupted at that point in time for other fears and not knowing specifically what the question was, I did not vote.

Today having finally straightened out what the question was, and I believe it was the question to limit debate, I would like to inform the Members of the Chamber that, had I been aware of that, I would have voted in the negative and I would hope that we would not have those problems in the future.

The PRESIDENT. The Chair thanks the gentleman and his remarks will be noted in the record.

BILLS INTRODUCED AND REFERRED

Senators STAUFFER, ZEMPRELLI, JUBELIRER, COPPER-SMITH, KELLEY and BELL presented to the Chair SB 1490, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, clarifying certain provisions relating to limitations on damages in actions against Commonwealth agencies and its officials and employees, and reinstating official and employee immunity.

Which was committed to the Committee on Judiciary.

Senator BELL presented to the Chair SB 1491, entitled:

An Act amending the act of October 4, 1978 (P. L. 883, No. 170), entitled "Public Official and Employee Ethics Law," requiring an additional disclosure.

Which was committed to the Committee on State Government.

Senator ORLANDO presented to the Chair SB 1492, entitled:

An Act amending the act of December 1, 1977 (P. L. 237, No. 76), entitled "Local Economic Revitalization Tax Assistance Act," changing the procedures for obtaining exemptions.

Which was committed to the Committee on Finance.

Senator GREENLEAF presented to the Chair SB 1493, entitled:

An Act providing for courts of common pleas to reduce the number of cases filed therein by the appointment of masters under certain circumstances and the procedure to be used.

Which was committed to the Committee on Judiciary.

Senators HANKINS, ZEMPRELLI, ROMANELLI, McKINNEY, LOEPER, MESSINGER, BELL and ARLENE presented to the Chair SB 1494, entitled:

An Act amending the act of December 1, 1977 (P. L. 237, No. 76), entitled "Local Economic Revitalization Tax Assistance Act," further providing for the definition of deteriorated property.

Which was committed to the Committee on Business and Commerce.

They also presented to the Chair SB 1495, entitled:

An Act amending the act of April 20, 1921 (P. L. 193, No. 108), entitled, as amended, "An act establishing a Bureau of Statistics and Information in the Department of Commerce;....," further providing for collection of statistics and data.

Which was committed to the Committee on Business and Commerce.

They also presented to the Chair SB 1496, entitled:

An Act amending the act of May 17, 1956 (1955 P. L. 1609, No. 537), entitled "Pennsylvania Industrial Development Authority Act," correcting the definition of Industrial Development Fund, changing the definition of industrial enterprise to include mercantile, commercial or retail enterprises and adding a definition.

Which was committed to the Committee on Business and Commerce.

They also presented to the Chair SB 1497, entitled:

An Act amending the act of May 10, 1939 (P. L. 111, No. 51),

entitled "Commerce Law," further providing for the powers and duties of the Department of Commerce.

Which was committed to the Committee on Business and Commerce.

They also presented to the Chair **SB 1498**, entitled:

An Act amending the act of May 6, 1968 (P. L. 117, No. 61), entitled, as amended, "Site Development Act," further providing for grants.

Which was committed to the Committee on Business and Commerce.

Senators HAGER, STAUFFER, HOWARD, GEKAS, JUBELIRER, PECORA, CORMAN, GREENLEAF, HOPPER, PRICE, HESS, LOEPER, BELL, SNYDER, KUSSE, DWYER and MANBECK presented to the Chair **SB 1499**, entitled:

An Act repealing the act of March 24, 1937 (P. L. 109, No. 35), entitled, "An act relating to interstate cooperation; creating the Pennsylvania Commission on Interstate Cooperation, as well as committees on interstate cooperation of the Senate and of the House of Representatives; defining the powers and duties of said commission and of said committees; and imposing duties on the Governor and the Secretary of the Commonwealth."

Which was committed to the Committee on State Government.

Senator KUSSE presented to the Chair **SB 1500**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to the County of Warren of the Commonwealth of Pennsylvania certain parcels of land subject to certain conditions within the Township of Glade, County of Warren, and Commonwealth of Pennsylvania.

Which was committed to the Committee on State Government.

Senators HANKINS, LLOYD, ROMANELLI, ARLENE, LYNCH, PECORA and McKINNEY presented to the Chair **SB 1501**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," providing for affirmative action in the recruitment, training and employment of insurance agents.

Which was committed to the Committee on Insurance.

Senators JUBELIRER, LOEPER, ANDREWS, PECORA and HOPPER presented to the Chair **SB 1502**, entitled:

An Act establishing the titling of certain watercraft that use the waters of the Commonwealth; providing the requirements for titling; providing exemptions; stating actions for transfers by operation of law; providing for surrender or cancellation of titles and duplicate titles; defining the duties of the Department of Revenue and establishing prohibited acts.

Which was committed to the Committee on Environmental Resources.

Senators ROMANELLI, STAPLETON, MELLOW, ZEMPRELLI, STOUT, BODACK and SCHAEFER presented to the Chair **SB 1503**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, to further provide for exemptions relating to taxation of real property owned by volunteer fire, ambulance and rescue companies.

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

CALENDAR

HB 1 CALLED UP OUT OF ORDER

HB 1 (Pr. No. 3729) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1 (Pr. No. 3729) — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

Senator STAUFFER. Mr. President, I believe that for the benefit of the Members, since we are taking House Bill No. 1 out of order prior to the caucus and since the bill has been drastically amended from its original version, that it would be well advised for the gentleman from Philadelphia, Senator Fumo, to explain to the Members the effect of the amendment that he placed in the bill so they will be in a position to cast their vote in an intelligent fashion.

Senator FUMO. Mr. President, House Bill No. 1 is now Senate Bill No. 982 as we passed it last year, I believe almost unanimously, with the exception that it is limited to counties of the first and second class only.

In our urban areas, particularly in counties of the first and second class, although it applies throughout the State, what is happening is that due to the energy crisis and other factors influencing the movement of people, many people who formerly lived in the suburbs and who were more affluent have migrated to the cities in great numbers. These people are young professionals and people of some wealth who can afford to spend large amounts of money for homes and then on top of that rehabilitate them and make them much more attractive. This is certainly a desirable thing to happen to our urban areas. However, in the process, they have taken over a large percentage of many of our neighborhoods and given them fashionable titles. The area that particularly comes to mind in my district is that of Queen's Village.

What has happened is that the people who live in those areas and who have lived in those areas for a large number of years, specifically senior citizens on fixed incomes and people of middle class working backgrounds, cannot now afford the high real estate taxes which have been imposed upon them because of the rehabilitation, not just because of inflation. We all face that problem with the problem of inflation with taxes, but in addition to that, these impacted areas, as I refer to them, have an extra burden because of problems totally outside of their con-

trol in that people have decided to come in and make their neighborhoods fashionable.

It is unfair for us to drive out our senior citizens and people of working class backgrounds from the neighborhoods that they have preserved for so many years because they cannot now afford the real estate taxes.

I might also add, Mr. President, that this bill is a "may" bill and what it will say ultimately, if it passes the General Assembly twice and it is then adopted by the citizens of the Commonwealth as a constitutional amendment, is that the taxing authorities will have the option of defining these areas and allowing these individuals these tax breaks.

I might also state, Mr. President, that it is envisioned that in the enabling legislation, some of the definitions would be, for example, long-time owner-occupant, I would envision that to mean at least ten years in the area. I would also anticipate that we would allow this exemption to only one family so the developers would not be able to come in and have this advantage and I would also envision some sort of recapture at the ultimate sale of the property or the transfer of that property by devise or otherwise.

This is similar, Mr. President, to the clean and green type of constitutional amendment that we passed a number of years ago which helped us to preserve our farmland when our farmers were faced with a similar situation due to the suburban sprawl and developers going in and buying up farmlands and raising its value merely because it was going to be used for development.

Mr. President, I would urge all of my colleagues to vote again for this bill as we did months ago and send it off to the House today for concurrence.

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

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

Senator FUMO. I will, Mr. President.

Senator GEKAS. Mr. President, did the gentleman say that the bill that is before us today is on all fours exactly as the bill was when we passed it in the previous form?

Senator FUMO. Yes, Mr. President, with the two exceptions that I mentioned. One that it now only refers to counties of the first and second class and secondly that in addition, in our bill we talked about rehabilitated homes. The House added an amendment in the Committee on State Government which I accepted, which said that also where you had new homes being built. There is an area in southwest Philadelphia where that problem is particularly cumbersome, where you have an older neighborhood, someone came in and developed basically dumping areas and things of that nature, put new homes in and then affected the real estate values of the contiguous neighborhood. So with those two exceptions, Mr. President, it is the same identical bill.

Senator GEKAS. Mr. President, the gentleman is stating that the concept is the same but some of the particulars were changed.

Mr. President, does the gentleman wish to reveal the rationale for restricting it to first and second class counties?

Senator FUMO. Mr. President, I guess that we in the Senate are more enlightened than our colleagues in the House and I was informed by House leadership on both sides of the aisle that there was a fear of some of the rural Legislators and suburban Legislators that they did not want this applicable to their counties at this point in time, but they were amenable to some sort of pilot program in counties of the first and second class.

Mr. President, I personally would like to see it apply State-wide because I think the problems exist all over the Commonwealth. The district of the gentleman from Dauphin, Senator Gekas, Shipoke, was mentioned and I think it is a problem there. But in order to have this bill passed in the House after consultation with House leadership, I think the only way we are going to get it at this point in time is to limit it to these two counties.

Mr. President, I am optimistic that if it is successful we will be able to come back and expand it to the rest of the Commonwealth.

Senator GEKAS. Mr. President, one additional question. What is the timetable as the gentleman sees it for the enactment or for the placement of this particular piece of legislation on the ballot for the public to vote?

Senator FUMO. Mr. President, this being its first passage through this Session, the earliest would be sometime next year because we would have to pass it through another Session of the General Assembly. Mr. President, I would predict 1981 or 1982.

Senator GEKAS. What I am asking, Mr. President, is there any realistic hope on the part of the gentleman from Philadelphia, Senator Fumo, that it will appear on the ballot in 1981, given the fact that this may be the last day in Session for the General Assembly for this particular time, knowing that the timetable for publication has to be August 4, 1980? Is there any realistic hope on the part of the gentleman from Philadelphia, Senator Fumo, that this can be accomplished this year?

Senator FUMO. Mr. President, my understanding of the mechanism is that it would be printed or published this year, and it must be published before August 4th, but it would not be on the ballot this year. It would only be on the ballot a year or two years from now I believe it is; I really am not exactly sure about the exact procedures, but it is my understanding if it is not passed by us this week and the House concurred today, this afternoon, that it would only jam the process up for another Session after the next Session.

Senator GEKAS. Mr. President, I am not making myself clear. Is it not true, Mr. President, that in order for this proposition to appear on the ballot sometime in 1981, either the Primary or the General Election of 1981, that the Senate would have to pass it today, the House would have to pass it today so that the publication timetables can be met, then it must appear in November of 1980 on the ballot or to prepare for 1981's first appearance on the ballot, is that correct?

Senator FUMO. Mr. President, my understanding is that if we pass it today, I have assurances from the House that they will probably pass it this afternoon. That would complete the first step in the process, that it would have to be introduced

again in January of 1981, when we reconvene the next Session. If we were very fortunate and were able to get it through before August 1, 1981, then it is conceivable that it would be placed on the ballot in November of 1981. That is a realistic timetable to my understanding.

Senator GEKAS. Mr. President, what I really want to know is this. I want very much, Mr. President, for the gentleman from Philadelphia, Senator Fumo, to accede to a recommitment of this bill for the purpose of including the other counties. I see no harm in taking final action on this proposition in September of 1980 because we will not realistically lose any time because I do not share the gentleman's hopes that this will be done prior to August of 1980.

Senator FUMO. Mr. President, I would ask the gentleman from Dauphin, Senator Gekas, to reconsider that request for two following reasons. It is my understanding that we must do this now because of publication, not being put on the ballot.

Mr. President, if I may yield to the gentleman from Allegheny, Senator Early, the Chairman of the Committee on Constitutional Changes and Federal Relations, who can enlighten us on the procedure—but before I do that I would like to explain my second reason.

The second reason is I am very fearful from my discussions with the House leadership on both sides of the aisle that if we include all of the counties, we are going to kill the bill. I would be more than happy to co-sponsor a bill with the gentleman from Dauphin, Senator Gekas, that would include the rest of the counties in separate legislation and gladly work with the gentleman to see that it gets through the Senate and be sent to the House in September.

Mr. President, I would like the gentleman from Allegheny, Senator Early, to explain the particular problem that we have today with the publication. If I may yield to the gentleman from Allegheny, Senator Early, Mr. President.

Senator EARLY. Mr. President, the object behind the ninety-day rule being voted, and that will be August 4th, is to give the general public an opportunity to vote for or against it, determine how we vote on a constitutional amendment. Even though this is the first time and even though they, themselves, will not have an opportunity to vote for or against it until the next time, but this gives them an opportunity to see how we vote so they in turn may vote for or against us in the November election.

MOTION TO RECOMMIT

Senator GEKAS. Mr. President, I realize all of that. That was the point of my question. I am saying to the Members, if we wanted to support the concept of the gentleman from Philadelphia, Senator Fumo, on the basis of the assertions that he has that it is going to pass the House today, that is one proposition. I still think that is a pig in the poke. We cannot be sure that the House will pass it today. I am saying that because we cannot be sure that the House is going to pass it today, therefore, the gentleman from Philadelphia, Senator Fumo, cannot be confident that it is going to meet the August 4th publication date and because it does not have all the other counties in it anyway, we ought not to consider this bill today.

On that basis, Mr. President, I move to recommit House Bill No. 1 to the Committee on Finance.

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

SENATOR STAUFFER TO VOTE FOR SENATOR KUSSE AND SENATOR O'CONNELL

Senator STAUFFER. Mr. President, since the debate began, I have been advised that Senator Kusse was called to the Governor's office and I will be asking legislative leave to vote him. Senator O'Connell was called to his office, he has a group of constituents and will join us in a while. If the roll call comes before he joins us, I also ask temporary legislative leave and will be voting him.

The PRESIDENT. The Chair hears no objection and the leaves are granted.

Senator TILGHMAN. Mr. President, I would urge support of the motion to recommit. As I look at this legislation, it would seem to me that it would reduce the amount of real estate taxes the city of Philadelphia takes in and I am not sure that the city of Philadelphia wants that to happen at the present time.

Senator FUMO. Mr. President, coming from Philadelphia County, I would hope that the gentleman from Montgomery, Senator Tilghman, would yield to my feelings on this, as it affects my district, as I would yield to him on anything that would affect his district.

However, Mr. President, I would like to just say I oppose the motion because the logic of the gentleman from Dauphin, Senator Gekas, does not flow. The gentleman says on the one hand that we are buying a pig in the poke hoping the House would pass this thing, and they may not, and if they do not, the issue is moot.

I might add, Mr. President, if we recommit this bill the issue is moot automatically and it will never get through. I think it is an attempt to kill the bill. I would urge my colleagues to vote "no." I share the gentleman's sentiments. We can accomplish what the gentleman wants to accomplish in his fashion by introducing another bill which would apply to the balance of the counties. I would support that bill today and I will go within the Legislative Reference Bureau and try to introduce it by this afternoon, but I do not think that the gentleman's methodology is going to work and inure to the benefit of the bill.

Mr. President, I am willing to help the gentleman do that as to my county and as to Allegheny County, having talked to my colleagues, but I would prefer that we not recommit the bill, that we send it to the House. If they do not vote on it, then it will not go anywhere. I have assurances that it will probably pass there today. If they do vote on it, then the problem is solved. But the gentleman's way will automatically create the problem by never even giving them the chance to vote on it before August 4th.

Mr. President, I would urge a "no" vote on recommitment and a "yes" vote on the bill.

Senator KELLEY. Mr. President, listening to the debate and now the issue of recommitment, it seems to me that the gentleman from Philadelphia, Senator Fumo, is perfectly willing as a

matter of expediency to allow the first and second class counties to have the constitutional right to proceed on this to the exclusion of the other sixty-five counties of the Commonwealth.

It seems to me, Mr. President, that as a matter of expediency, that is not justified on a constitutional right and authority in local taxing authorities to make that distinction. It seems to me if sixty-five counties can get it as a result of the next legislative Session, which would be the situation as agreed to by the gentleman from Philadelphia, Senator Fumo, that the most responsible approach, and also to allow it to go to committee and be amended as suggested by the gentleman from Dauphin, Senator Gekas, is that we would only be then having one constitutional referendum for all the counties, and I concur and encourage my colleagues to vote for the recommittal on that basis.

Senator GEKAS. Mr. President, I will yield to the gentleman from Erie, Senator Orlando.

Senator ORLANDO. Mr. President, I am a bit confused at this point here. I was always under the impression that a constitutional amendment had to be passed by two consecutive Legislative Sessions, number one.

Number two, and maybe I am wrong, but I do not think the August 4th date has any bearing whatever on the passage of this constitutional amendment. It was alleged that the reason for the August 4th date was so that the bill could be published, the public already knows once we pass this bill, it is public knowledge. It was alleged that that gave them a basis to vote against those who voted for or against the amendment. All of the House Members, but not all of the Senators are running at the same time, so that would mean that only half of the Senators would be voted for or against based on their vote on the constitutional amendment. It was always my understanding that even if we passed a constitutional amendment in November, as long as it came before that Session, that in the next Session, the bill could be passed, the amendment could be passed early enough in the early part of the year so that it could appear on the Primary ballot. Otherwise, if it did not conform to the ninety days in the Primary, that same constitutional amendment if it was passed after that date, would qualify to appear on the ballot in the November election.

Would somebody please straighten me out on that?

Senator GEKAS. Mr. President, I respectfully suggest that the gentleman from Erie, Senator Orlando, is incorrect in stating that the August 4th deadline does not apply. It does indeed. If we want to have the first leg of any constitutional amendment carry this year, that publication timetable must be met to qualify for the first leg of the two leg constitutional amendment process.

In that regard, I believe the gentleman from Erie, Senator Orlando, is incorrect in his assessment. However, what I wanted to cap this argument with is this: I think my motion served the interest of the gentleman from Philadelphia, Senator Fumo, whether he sees it or not, in that if, indeed, this proposition should reach the ballot in its present form, the people in Dauphin County will have either no interest in it or an adverse interest in it and, therefore, would either vote it down in Dauphin County, because it has no connection at all with Dauphin

County and could be perceived as a special interest piece of legislation for Philadelphia and Pittsburgh, thereby the gentleman from Philadelphia, Senator Fumo, would be risking the wrath of all the counties except the first and second class.

For that reason and the reasons I stated before, I urge unanimous support for my motion to recommit the bill. We voted for this concept before, we will vote for this concept again, and we will do it when it is in proper form, when it covers all the counties. Right now, I believe it will be perceived to be exactly what it is, a Philadelphia-Pittsburgh concept which may not be palatable to the rest of the State.

Senator PRICE. Mr. President, I supported the original bill when it came before the Senate and I am very persuaded that there is a need for this type of relief, having lived at one time in an urban renewal area where this problem took place. That is particularly so where government action, in effect, creates the problem that this bill tries to address.

I am also persuaded by the arguments that any constitutional amendment should apply across the board and I think we ought to have that opportunity to provide this type of relief not only in Philadelphia County or Allegheny County, but throughout the State, as I say, particularly where government action through urban renewal programs creates this type of hardship on property owners.

For that reason, Mr. President, I will support the motion to recommit.

Senator FUMO. Mr. President, just in summation, I think the gentleman from Dauphin, Senator Gekas, has now agreed with my argument that we have to do this before August 4th to start the first leg of the process and secondly, I have to say that throughout my career, I have always been an idealistic realist and what I mean by that is I know what the ideal is and to me the ideal in this case would be to have this apply to the entire Commonwealth, but I am realistic enough to understand the legislative process to know that if we do that, we are not going to get anywhere with this. A journey of a thousand miles must begin with the first step and I would hope this would be the first step.

Mr. President, if it is placed on the ballot, I would hope the people in Dauphin County would view it as a pilot program and a place from which to begin so that if it worked in those two counties, we could then have it work in Dauphin County, Lancaster County, Lebanon County and every other county in the Commonwealth.

Mr. President, I again urge a "no" vote on the recommittal and ask the gentleman from Dauphin, Senator Gekas, to join with me in introducing a bill today which would apply to the rest of the counties.

Senator BELL. Mr. President, I know nobody on this side will listen to me, but what the point is, if this does not pass today, forget any type of this constitutional amendment for two additional years. If this does not pass here today, Philadelphia and Pittsburgh, and I suspect this applies to Montgomery County as a second class A—yes it does—will be denied the power to have the old folks live in their homes and it will force them to be the prey of the real estate exploiters.

SENATOR ZEMPRELLI TO VOTE FOR
SENATOR KURY

Senator ZEMPRELLI. Mr. President, I am requesting a legislative leave of absence on behalf of Senator Kury and Senator Smith, both of whom are not on the floor at the present time but who are engaged in legislative matters. I did not want to request a leave prior to this time hoping they would be back on the floor.

The PRESIDENT. Senator Smith has already received a legislative leave of absence. Is there any objections to a legislative leave for Senator Kury. The Chair hears none and that leave is granted.

The Chair notes that Senator Corman, Senator Price and Senator O'Connell are back on the floor.

SENATOR HAGER TO VOTE FOR
SENATOR PECORA

Senator HAGER. Mr. President, I ask legislative leave for Senator Pecora and I will be voting him.

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

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

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

YEAS—13

Corman,	Jubelirer,	Manbeck,	Price,
Gekas,	Kelley,	Moore,	Snyder,
Greenleaf,	Kusse,	O'Connell,	Tilghman,
Hopper,			

NAYS—35

Andrews,	Hager,	Loeper,	Ross,
Arlene,	Hankins,	Lynch,	Scanlon,
Bell,	Hess,	McKinney,	Schaefer,
Bodack,	Holl,	Mellow,	Smith,
Coppersmith,	Howard,	Murray,	Stapleton,
Dwyer,	Kury,	Orlando,	Stauffer,
Early,	Lewis,	Pecora,	Stout,
Fumo,	Lincoln,	Reibman,	Zemprelli,
Gurzenda,	Lloyd,	Romanelli,	

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

And the question recurring,
Shall the bill pass finally?

Senator MCKINNEY. Mr. President, this bill would have more impact on a certain part of my district than any other parts of Philadelphia known as Eastwick, which was formerly a marshland, wasteland, dumps, et cetera, whereas in the past five years some 5,000 homes have been built there ranging from \$20,000 to \$40,000. It will certainly have an impact on a large part of my constituents' area.

Mr. President, I would certainly ask my colleagues on both sides of the aisle to please support House Bill No. 1.

Senator GEKAS. Mr. President, I urge a "no" vote for this bill for the following reason.

As was stated in the debate on the motion that preceded the final passage vote, we already have voted for a piece of legislation that is now lodged in the House that would apply to all sixty-seven counties incorporating this very same concept. A vote for this piece of legislation today would be a vote to kill a bill that would have beneficial results for every single Legislator in the General Assembly of the Commonwealth of Pennsylvania. A vote in favor of House Bill No. 1 is a vote to kill the State-wide application of the legislation which is now pending in the House and which we passed, I believe, unanimously when the issue came before us on the previous question.

Senator FUMO. Mr. President, for the enlightenment of the gentleman from Dauphin, Senator Gekas, it was never my desire to ask us to vote twice on the same type of a bill.

Senate Bill No. 982 which we passed, which the gentleman thinks is lodged in the House, is now before us. It has been stripped of this provision, it has been gutted and inserted into it was the former House Bill No. 1. There is nothing in the House to be killed because the House already killed it.

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—41

Andrews,	Hankins,	Lynch,	Ross,
Arlene,	Hess,	McKinney,	Scanlon,
Bell,	Holl,	Mellow,	Schaefer,
Bodack,	Howard,	Moore,	Smith,
Coppersmith,	Jubelirer,	Murray,	Snyder,
Dwyer,	Kury,	Orlando,	Stapleton,
Early,	Lewis,	Pecora,	Stauffer,
Fumo,	Lincoln,	Price,	Stout,
Greenleaf,	Lloyd,	Reibman,	Tilghman,
Gurzenda,	Loeper,	Romanelli,	Zemprelli,
Hager,			

NAYS—7

Corman,	Hopper,	Kusse,	O'Connell,
Gekas,	Kelley,	Manbeck,	

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

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

RECESS

Senator ZEMPRELLI. Mr. President, I would ask for a recess of the Senate at this time. In the interim, Mr. President, there have been several meetings scheduled, but I would want the Members of the Democratic caucus to know that it is the intent of the Majority to have a caucus at 12:00 Noon in the Majority caucus room, an extremely important caucus, it will have a lot to do with what transpires over the summer.

Senator HAGER. Mr. President, if what has transpired is a Democratic request for a caucus at Noon, I would like to ask the

Republican Members to come immediately to our caucus room so that we will be ahead of them.

The PRESIDENT. For the purpose of a Democratic caucus which will convene at 12:00 Noon and for a Republican caucus which will convene immediately, the Chair declares the Senate in recess.

AFTER RECESS

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

COMMUNICATIONS FROM THE GOVERNOR APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 65 and 323.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

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

INSURANCE COMMISSIONER

July 2, 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 L. Browne, Esq., 854 Carpenter Lane, Philadelphia 19119, Philadelphia County, Thirty-sixth Senatorial District, for appointment as Insurance Commissioner, to serve until the third Tuesday of January, 1983, and until his successor is appointed and qualified, vice The Honorable Harvey Bartle, III, Philadelphia, resigned.

DICK THORNBURGH.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 2419, 2427, 2475, 2483, 2611, 2613, 2667 and 2794**, which were referred to the Committee on Appropriations.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate **SB 890**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has noncon-
curred in amendments made by the Senate to **HB 2134**.

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

BILLS SIGNED

The President (Lieutenant Governor William W. Scranton III) in the presence of the Senate signed the following bills:

HB 1946, 2159 and 2409.

COMMITTEE OF CONFERENCE APPOINTED ON HB 1527

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators **KELLEY, LEWIS and O'CONNELL**, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1527.

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

CONSIDERATION OF CALENDAR RESUMED REPORTS OF COMMITTEES OF CONFERENCE

REPORTS ADOPTED

HB 552 (Pr. No. 3721) — Senator **ZEMPRELLI**. Mr. President, I move that the Senate adopt the Report of Committee of Conference on House Bill No. 552, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring the Department of Public Welfare to develop and implement a State plan for regulating and licensing personal care boarding homes, prohibiting abusive, fraudulent and deceptive acts and practices by providers of and persons eligible for State medical assistance; providing remedies and penalties therefor; imposing certain participation requirements on providers and persons eligible; providing for third party liability; and imposing powers and duties on the Attorney General, the Department of Public Welfare and the district attorneys.

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—48

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

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

NAYS—0

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

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

SB 985 (Pr. No. 1973) — Senator ZEMPRELLI. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 985, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for the disposition of certain unused and unnecessary lands, further providing for the review and approval of certain budget and providing for certain payments and reimbursements to community colleges.

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—48

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

NAYS—0

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

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

SB 986 (Pr. No. 1974) — Senator ZEMPRELLI. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 986, entitled:

An Act amending the act of June 22, 1964 (1st Sp. Sess., P. L. 84, No. 6), entitled "Eminent Domain Code," further providing for abandonment of certain projects.

On the question,

Will the Senate agree to the motion?

SENATOR HAGER TO VOTE FOR
SENATOR HOWARD

Senator HAGER. Mr. President, I have received a request for a grant of legislative leave for Senator Howard and I would like to vote him this afternoon if I may.

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

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—48

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

NAYS—0

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

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

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER TEMPORARILY

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

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 414 (Pr. No. 1945) — Senator ZEMPRELLI. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 414 and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

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

BILL OVER IN ORDER

SB 982 — Senator ZEMPRELLI. Mr. President, I would request that Senate Bill No. 982 go over in its order.

Senator EARLY. Mr. President, I object to Senate Bill No. 982 going over and I ask for a roll call vote.

MOTION FOR BILL OVER IN ORDER

Senator ZEMPRELLI. Mr. President, I would respectfully move the Chair to have Senate Bill No. 982 go over in its order as a motion.

On the question,

Will the Senate agree to the motion?

RECESS

Senator HAGER. Mr. President, at this point I would ask for a recess of the Senate for the purpose of a short Republican caucus.

The PRESIDENT. The Chair hears no objection. For the purpose of a short Republican caucus, the Chair declares the Senate in recess.

AFTER RECESS

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

And the question recurring,

Will the Senate agree to the motion that Senate Bill No. 982 go over in its order?

SENATOR EARLY. Mr. President, we will be voting now on the motion to go over—

The PRESIDENT. If the gentlemen would please yield, I would remind the Members that on this motion the bill itself is not debatable, merely the reasons for its going over in its order.

Senator EARLY. Mr. President, the issue is one that has been with us for some time and I assure you I will be very careful not to mention the legislation itself but for the reason that it should be voted today and the reasons why we should have an opportunity of voting "yes" or "no."

The Constitution of the State of Pennsylvania indicates that any constitutional change must be done by at least three months prior to the next election. It must be done in two different Sessions of the Legislature. The date that we are concerned about is the fourth day of August. If we do not vote this before the fourth day of August, we will then be confronted with not being able to vote it until January of next year. That would mean the first time. We would then not be permitted to vote it again until 1983 and only after that, if we were inclined to vote it January or February of 1983, could we then get it on the ballot for the people of Pennsylvania to vote. So I must emphasize, Mr. President, that by a vote today to go over this legislation, we are delaying it until 1983. I would like to also tell you, Mr. President, that a vote to go over is a vote to, one, not give this Body an opportunity to debate this legislation. I am not saying that every Member should vote for or against the bill; we will not even get into that. What I am also saying is that I believe a piece of legislation that was voted in the House of Representatives by a vote of 163 to 22—that was the vote in the House—a bill that was voted overwhelmingly should at least be debated on the floor of the Senate. Therefore, Mr. President, I am asking the Members to vote "no" on the motion to go over this bill to give us an opportunity to debate it.

Senator LEWIS. Mr. President, I rise to support the motion.

We are dealing with the question of a constitutional amendment and not only does that issue in and of itself rise to a level of greater care and caution than we might ordinarily give to a piece of routine legislation, but the obligations for the constitutional process and the amendatory process are such that if we make a mistake now, we may well find ourselves in a position in

which it will be impossible to correct those mistakes from a practical standpoint.

First of all, Mr. President, we know that in order for a bill to be presented to the electorate, it has to be approved in substantially the same form by two consecutive Sessions of the Legislature. Mr. President, I believe that the bill that is now before us has not only technical difficulties, but substantial drafting irregularities that are of such a nature that upon further study it would be very difficult for the Members of this Legislature in a subsequent Session to approve this proposal in a form that is substantially similar to the one that is now before us.

Therefore, being fully aware of the time concerns expressed by the gentleman from Allegheny, Senator Early, I think prudence and the obligations of adequately drafting and proposing and presenting constitutional amendments require us to go over this bill at this time, to use our efforts to correct the deficiencies that exist so that if at some time in the future this Legislature is prepared to philosophically accept and adopt this proposal, it will be in an appropriate fashion, it will be in satisfactory language, it will be in a form that will not create more problems than it proposes to correct. For that reason, Mr. President, I believe that it is incumbent upon us to go over Senate Bill No. 982 today to take the additional time we need to make appropriate corrections.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—29

Andrews,	Hess,	Manbeck,	Romanelli,
Bell,	Holl,	McKinney,	Ross,
Bodack,	Hopper,	Mellow,	Scanlon,
Coppersmith,	Jubelirer,	Moore,	Smith,
Corman,	Lewis,	Murray,	Stapleton,
Dwyer,	Lloyd,	Orlando,	Tilghman,
Fumo,	Lynch,	Reibman,	Zemprelli,
Gekas,			

NAYS—17

Early,	Kelley,	Loeper,	Schaefer,
Greenleaf,	Kury,	O'Connell,	Snyder,
Guزندا,	Kusse,	Pecora,	Stauffer,
Hager,	Lincoln,	Price,	Stout,
Howard,			

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

The PRESIDENT. Senate Bill No. 982 will go over in its order.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1145 (Pr. No. 1882) — Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1145.

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—48

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

NAYS—0

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

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

SB 1201 (Pr. No. 1946) — Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1201.

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—48

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

NAYS—0

A constitutional two-thirds 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 1287 (Pr. No. 1970) — Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1287.

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—48

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

NAYS—0

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

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

SB 68 CALLED UP

SB 68 (Pr. No. 1960) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Calendar, under Bills on Concurrence in House Amendments, by Senator ZEMPRELLI.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 68 (Pr. No. 1960) — Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 68.

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

Senator ZEMPRELLI. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Lynch.

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

Senator LYNCH. I will, Mr. President.

Senator ZEMPRELLI. Mr. President, I understand that the subject matter of Senate Bill No. 68 relates to a certain licensing of buses and similar motor vehicles?

Senator LYNCH. That is right, Mr. President.

Senator ZEMPRELLI. Mr. President, there has been some confusion about the placement of revenue and its loss or potential loss and where the burden of that loss rests, if in fact there is some adjustment on revenue. My question, Mr. President, to the gentleman from Philadelphia, Senator Lynch, is, is there a cost factor in lost revenue to any area or level of government?

Senator LYNCH. Mr. President, no, sir. I would like to explain that. Yesterday there was talk going around that the State removes \$800,000 in liquid fuel to the counties. After discussion with Secretary Larson, Deputy Shriner, Jack Zogby and John Hohenwarter today, they decided that they will lift their objections to this bill because the cost may be minimal to some counties but they figure that the goodwill that Senate Bill No. 68 will do in the counties to the businesses, that they would just disregard the minimal loss, whatever it may be.

Senator ZEMPRELLI. Mr. President, I am somewhat confused. The gentleman started to relate to loss of revenue by the Commonwealth and then indicated that there might be some minuscule loss of revenue to the counties. My question in the hope of clarification, Mr. President, is, is there a loss of revenue to the counties of this State by virtue of abated or otherwise minimized liquid fuel payments as credits as against those payments that the counties would otherwise receive?

Senator LYNCH. Mr. President, they related to me if there was, it would be minimal. Nothing like the escalating cost of \$800,000.

Senator ZEMPRELLI. Do I understand, Mr. President, from the gentleman's remarks that he is unable to tell us any limitations as to estimates of lost revenues to the counties even though they may not be \$800,000?

Senator LYNCH. I am, Mr. President, because the department does not know.

Senator ZEMPRELLI. Mr. President, do I understand the gentleman to say that there is some loss of revenue, however minimal it may be as a word of art?

Senator LYNCH. Yes, sir, Mr. President.

Senator HAGER. Mr. President, because I had some questions about this very issue, the gentleman from Philadelphia, Senator Lynch, had John Hohenwarter of PennDOT call me and he told me that the loss to the counties would be \$800,000 or less. It would not be in excess of \$800,000 but it would be in that neighborhood, perhaps somewhat less. Those are the best numbers he was able to give us in a telephone conversation in which all three of us took part.

Senator HOLL. Mr. President, Senate Bill No. 68 is the product of approximately four and a half years of work for the handicapped who find themselves unable to park in places that are so designated and clearly marked.

When Senate Bill No. 68 went to the House it was amended to include the language on page 4, lines 10 through 17 which is entitled "Title and Registration Fees. No fee shall be charged for titling or registration of any of the following . . ." and it says "buses registered by urban mass transportation systems. . .", et cetera.

Mr. President, I would like to read for the record from Act No. 81 approved by Governor Shapp on June 17, 1976. If you follow me on the bill, if you are interested, I will read that. It says: "Fees. Title and registration fees," exactly as it is related in the bill. "No fee shall be charged for titling or registration of any of the following: Buses, registered by urban mass transportation systems. . ."

Now, Mr. President, if anyone would like to look at this Act, here it is. I cannot for the life of me understand why the House decided to put it back in here. I am no lawyer but this was just called to my attention. Here is the Act, and here is the bill and if anyone wants to ask any questions I will ask the gentleman from Lycoming, Senator Hager, to interpret it or maybe I should ask the gentleman from Philadelphia, Senator Lynch, to interpret it.

Mr. President, I think this speaks for itself.

Senator LYNCH. Mr. President, this bill passed the House 178 to 4. It was never referred to the Committee on Appropria-

tions and I am sure it did not need a fiscal note. Senate Bill No. 68 only applies to line service buses, not all buses, only those under the mass transit agency. Charter buses cannot apply for these tags. As far as the estimate that the gentleman from Lycoming, Senator Hager, has said, that was divulged on the phone in a three-way conversation, he also heard Mr. Hohenwarter say that it was a minimal cost and due to the good that the bus companies would do for the communities and the counties, that they think the minimal cost would overcome this.

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

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

YEAS—37

Arlene,	Hopper,	Loeper,	Price,
Bell,	Howard,	Lynch,	Ross,
Bodack,	Jubelirer,	Manbeck,	Scanlon,
Dwyer,	Kelley,	McKinney,	Schaefer,
Early,	Kury,	Mellow,	Smith,
Fumo,	Kusse,	Moore,	Stapleton,
Greenleaf,	Lewis,	Murray,	Stout,
Gurzenda,	Lincoln,	Orlando,	Tilghman,
Hankins,	Lloyd,	Pecora,	Zemprelli,
Holl,			

NAYS—11

Andrews,	Gekas,	O'Connell,	Snyder,
Coppersmith,	Hager,	Reibman,	Stauffer,
Corman,	Hess,	Romanelli,	

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.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2724 (Pr. No. 3719) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILL RECOMMITTED

HB 106 (Pr. No. 3601) — Upon motion of Senator ZEMPRELLI, and agreed to, the bill was recommitted to the Committee on Finance.

BILL OVER IN ORDER TEMPORARILY

HB 960 — Without objection, the bill was passed over in its order temporarily at the request of Senator ZEMPRELLI.

BILL REREFERRED

SB 1013 (Pr. No. 1934) — Considered the third time,

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

Senator ZEMPRELLI. Mr. President, I was previously instructed to consider putting over Senate Bill No. 1013. However, I have been prevailed upon with some justification for the need to have a licensing bill with respect to those who would offer marital counseling services because of the fact that the no-fault divorce law became effective yesterday. For that reason, Mr. President, I am asking that Senate Bill No. 1013 be considered at this time and instructing my caucus that what we have determined in caucus as going over would now be run unless there is some objection.

Mr. President, those who would ask that the bill go over had in fact asked me now to run the bill.

Senator COPPERSMITH. Mr. President, it is my understanding that Senate Bill No. 1013 has not gone to the Committee on Appropriations. I ask if it is proper to do certainly with the cost factor of this bill.

Senator ZEMPRELLI. May we be at ease a moment, Mr. President?

The PRESIDENT. The Senate will be at ease.
(The Senate was at ease.)

MOTION TO REREFER

Senator ZEMPRELLI. Mr. President, I have had a sidebar consultation with the Chairman of the Committee on Appropriations and he has advised me that the subject matter of the bill is such that the Committee on Appropriations should offer a fiscal note.

Based on that information, I am going to move that Senate Bill No. 1013 be rereferred to the Committee on Appropriations.

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

The motion was agreed to.

The PRESIDENT. Senate Bill No. 1013 is rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 1061 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1272 (Pr. No. 1976) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 1369 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILL REREFERRED

SB 1421 (Pr. No. 1943) — Upon motion of Senator ZEMPRELLI, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

HB 1624 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1859 (Pr. No. 3726) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—46

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

NAYS—2

Jubelirer, Zemprelli,

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

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

BILL OVER IN ORDER

HB 1896 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2104 (Pr. No. 2788) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

BILLS OVER IN ORDER

HB 2114 and 2204 — Without objection, the bills were

passed over in their order at the request of Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2237 (Pr. No. 3737) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

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.

NOMINATIONS TAKEN FROM THE TABLE

Senator FUMO. Mr. President, I call from the table for consideration the nominations of Donald Kerstetter, as a member of the State Board of Examiners of Architects; Colonel Vernon E. James, as Brigadier General, Pennsylvania National Guard; Richard W. Marvin, as a member of the Bradford County Board of Assistance; and S. Keene Mitchell, Jr., as District Justice in and for the County of Luzerne.

These nominations were previously laid on the table June 30, 1980.

Mr. President, I also call from the table for consideration the nomination of Robert R. Graff, as District Justice in and for the County of Allegheny.

This nomination was previously laid on the table June 24, 1980.

The Clerk read the nominations as follow:

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

May 21, 1980.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald Kerstetter (public member), Box 345, Emporium 15834, Cameron County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Examiners of Architects, 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.

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD

June 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 Colonel Vernon E James, 709 West Fourteenth Street, Tyrone 16686, Blair County, Thirtieth Senatorial District, for appointment as Brigadier General, Pennsylvania Army National Guard, to serve until terminated, as Assistant Division Commander, 28th Infantry Division, Pennsylvania Army National Guard, vice Brigadier General Gerald T. Sajer, resigned.

DICK THORNBURGH.

MEMBER OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

June 23, 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 W. Marvin (Republican), R. D. #2, Sayre 18840, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Bradford County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice John Stetz, Sayre, whose term expired.

DICK THORNBURGH.

DISTRICT JUSTICE

May 15, 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 S. Keene Mitchell, Jr., 53 Butler Street, Kingston 18704, Luzerne County, Twentieth Senatorial District, for appointment as District Justice in and for the County of Luzerne, Class 1, District 06, to serve until the first Monday of January, 1982, vice Richard P. Adams, resigned.

DICK THORNBURGH.

DISTRICT JUSTICE

June 17, 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 R. Graff, 5109 Leona Drive, Pittsburgh 15227, Allegheny County, Forty-third Senatorial District, for appointment as District Justice in and for the County of Allegheny, Class 02, District 18, to serve until the first Monday of January, 1982, vice Edward Snee, Pittsburgh, resigned.

DICK THORNBURGH.

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—48

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

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.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 1416 (Pr. No. 1965) and SB 1417 (Pr. No. 1966) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

NONPREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION

SB 1488 (Pr. No. 1964) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION

SB 262 (Pr. No. 1968) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 1436 — Without objection, the bill was passed over in its order at the request of Senator ZEMPRELLI.

**SENATE RESOLUTION,
SERIAL NO. 103, CALLED UP**

Senator ZEMPRELLI, without objection, called up from page 7 of the Calendar, Senate Resolution, **Serial No. 103**, entitled:

Pennsylvania pledges cooperation to improve housing program to include real estate, financial community and the consumer.

On the question,
Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 103, ADOPTED

Senator ZEMPRELLI. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 103.

The motion was agreed to and the resolution was adopted.

**SENATE RESOLUTION,
SERIAL NO. 105, CALLED UP**

Senator ZEMPRELLI, without objection, called up from page 7 of the Calendar, Senate Resolution, **Serial No. 105**, entitled:

Amending Senate Rule 35 by adding Part X.

On the question,
Will the Senate adopt the resolution?

Senator ZEMPRELLI offered the following amendments:

Amend First Resolved Clause, page 1, lines 1 and 2, by striking out both of said lines and inserting:

RESOLVED, That subsection (b) of section 2 of Part II, section 3 of Part III and subsection (a) of section 1 of Part V of Senate Rule XXXV be amended and that the rule be amended by adding a part to read:

Amend Resolution, page 1, by inserting between lines 4 and 5:

II — Travel and Travel Allowances

* * *

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

* * *

(b) [Fifteen] Eighteen and one-half cents per mile[, or at such rate set forth under Internal Revenue Service guidelines for such purposes] when utilizing personal vehicle or conveyance.

* * *

III — Per Diem

* * *

3. Expenses shall be reimbursed by voucher for actual expenses or [up to the rate set forth in the Internal Revenue Service guidelines applicable to the Harrisburg locality as maximum reimbursement for allowable business expenses without receipts attached], \$50 for each day or part thereof. The Chief

Clerk shall promulgate a standard for partial payment of per diem reimbursement itemizing separate maximums for lodging, breakfast, dinner and miscellaneous expenditures. Employees shall be reimbursed for actual expenses only.

* * *

V — District Office Expense

1. Expenses authorized shall include:

(a) Office rental up to [300] \$400 per month excluding utilities.

* * *

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

On the question,
Will the Senate adopt the resolution, as amended?

SENATE RESOLUTION, SERIAL NO. 105, ADOPTED

Senator ZEMPRELLI. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 105, as amended.

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—46

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

NAYS—2

Gekas Greenleaf

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

**SENATE RESOLUTION,
SERIAL NO. 107, CALLED UP**

Senator ZEMPRELLI, without objection, called up from page 7 of the Calendar, Senate Resolution, **Serial No. 107**, entitled:

Directing Joint State Government Commission initiate a further review of the Eminent Domain Code.

On the question,
Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 107, ADOPTED

Senator ZEMPRELLI. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 107.

The motion was agreed to and the resolution was adopted.

HB 960 CALLED UP

HB 960 (Pr. No. 3733) — Without objection, the bill, which previously went over in its order temporarily was called up, from page 3 of the Third Consideration Calendar by Senator ZEMPRELLI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 960 (Pr. No. 3733) — Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

MOTION TO REREFER

Senator KELLEY. Mr. President, I would like to move to refer House Bill No. 960.

The PRESIDENT. To where?

Senator KELLEY. To the Committee on Judiciary, Mr. President.

On the question,

Will the Senate agree to the motion?

Senator LEWIS. Mr. President, I rise to oppose the motion. The effect of recommittal would be to delay the potential nomination and confirmation of the judges for these very badly needed positions by a number of months. If we, in fact, take action on the bill today and forward it to the House and they concur, the process for the screening by the respective commissions in the counties can begin this summer. I would hope, as a result of that process, the Governor would be in a position to present to the Senate his nominations upon our return in the fall, which means that conceivably we could fill the appropriate vacancies by the end of September.

If House Bill No. 960 is rereferred, we will not be able to consider it until we return in the fall. The House would not have the opportunity to concur until that time and it is unlikely to expect that the nominating commissions would be in a position to make recommendations or that the Governor would be in a position to act before we adjourned sine die. That means that the Senate would not then be able to consider confirmations of gubernatorial appointees at least until sometime toward the end of January of 1981.

Mr. President, I think that difference in five months is extremely important, important enough that I rise to oppose the motion made by the gentleman from Westmoreland, Senator Kelley, and ask this Senate to take final action upon this bill this evening.

Senator KELLEY. Mr. President, I first want to apologize. I believe the ordinary custom in parliamentary procedures is he who makes the motion should speak positively first, but my gentleman friend from Bucks County had to carry the negative which he did very well.

Mr. President, if we get to the essence of the matter, first and foremost at issue is the integrity of the committee system. The integrity of the committee system demands that the substance of the issues be treated by the committee that has basic jurisdiction. The present form of House Bill No. 960 has an amendment placed in it by the Committee on Appropriations, the sub-

stantive aspect. The reason for the rereferral, therefore, is to allow and to accomplish and to preserve the integrity system that we tend to violate many times. That may not be important enough in some people's minds, but the other aspect is that the rereferral will permit the Committee on Judiciary to establish an objective criteria for these judgeships and others because if one looks at the latest statistics that are provided, he or she will examine and see there is no objective criteria for the respective judgeships that are being created in the judicial districts.

I, therefore, think that the expediency that the gentleman from Bucks, Senator Lewis, argues must yield to the preservation of the integrity of the judicial system and the integrity of the committee system here, but most importantly to the establishment of the objectivity that we should have had a long time ago and do not have.

Therefore, Mr. President, that is why I urge my colleagues to vote in the positive for rereferral.

Senator HAGER. Mr. President, first of all, I would like to associate myself entirely with the remarks of the gentleman from Bucks, Senator Lewis, and secondly, in the merest, shortest reputation of the gentleman from Westmoreland, Senator Kelley, I agree very strongly with the integrity of the system.

There are, however, certain safety valves at times of severe crisis when there is a great need outside so the Senate is not so hidebound by its traditions and by its committee system that it may on occasion use other committees for a purpose that a standing committee may also be more properly useful for. This is one of those occasions. In many of the situations we are talking about here, there has been a crying need for a number of years and it seems to me for us to insist upon the committee system above the needs of so many people is to make us look just a little bit foolish.

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

Senator ZEMPRELLI. Mr. President, I had no intention of addressing myself to the subject matter here because I am sure the emotions I would exude would be somewhat regretted tomorrow morning. The problem and perhaps more than the dichotomy is the fact that there are certain counties that are crying desperately for judges. Going back several years ago, so that I might set a proper base for the remarks that I am going to make, I pleaded with this Body not to give us additional judges in Allegheny, but in spite of that we got them under the guise that we would only get eight of them and we would not appoint four of them. What a crock of baloney that was. The first day that the four judges became eligible for appointment, the four were here up in the Chambers to be appointed.

When I looked at House Bill No. 960 as it was presented to us here, this is a classic example of the worst kind of pork barreling.

You have Mercer County that is crying for a judge. Judge Stranahan up above cries and calls every day about the problems of the judiciary in Mercer County. I am sympathetic. He needs that help.

POINT OF ORDER

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

The PRESIDENT. The gentleman from Bucks, Senator Lewis, will state it.

Senator LEWIS. Mr. President, is the subject of the bill appropriate for debate at this time?

The PRESIDENT. The gentleman is correct, the debate is on the motion to rerefer and not on the substance of the bill at this time. If the gentleman will confine his remarks to the motion, he will be in order.

Senator ZEMPRELLI. Mr. President, in order for me to make my remarks germane, I will, therefore, ask that the motion for rereferral be sustained for at least the reasons I have articulated to this point because I have many more to articulate.

Senator FUMO. Mr. President, I have to disagree with the gentleman from Westmoreland, Senator Kelley, in part if the gentleman's complaint is that there should be some sort of formula and that that wisdom lies within the Committee on Judiciary. The proper remedy then might be for the Committee on Judiciary to give this Chamber a bill which would give us certain guidelines legislatively so that we would not fall into this problem area.

I think rereferral at this point in time, Mr. President, would do serious damage to the judicial system in Pennsylvania. Therefore, I think we should not rerefer but rather vote the bill.

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

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

YEAS—8

Coppersmith, Kelley,	Manbeck, Romanelli,	Ross, Scanlon,	Schaefer, Zemprelli,
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NAYS—38

Andrews, Bell, Bodack, Corman, Dwyer, Early, Fumo, Gekas, Greenleaf, Gurzenda,	Hager, Hess, Holl, Hopper, Howard, Jubelirer, Kury, Kusse, Lewis, Lincoln,	Lloyd, Loeper, Lynch, McKinney, Mellow, Moore, Murray, O'Connell, Orlando,	Pecora, Price, Reibman, Smith, Snyder, Stapleton, Stauffer, Stout, Tilghman,
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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?

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

- Amend Title, page 1, line 4, by striking out "MONTGOMERY,"
- Amend Title, page 1, line 5, by striking out "Westmoreland,"
- Amend Title, page 1, line 5, by inserting after "PIKE,"; and
- Amend Title, page 1, line 5, by striking out "AND DELAWARE"

Amend Sec. 1 (Sec. 911), page 2, line 11, by striking out the brackets before and after "7"

Amend Sec. 1 (Sec. 911), page 2, line 11, by striking out "8"

Amend Sec. 1 (Sec. 911), page 3, line 4, by striking out the brackets before and after "12"

Amend Sec. 1 (Sec. 911), page 3, line 4, by striking out "14"

Amend Sec. 1 (Sec. 911), page 3, line 11, by striking out the brackets before and after "14"

Amend Sec. 1 (Sec. 911), page 3, line 11, by striking out "15"

Amend Sec. 4, page 7, line 16, by inserting after "4.": (a)

Amend Sec. 4, page 7, line 16, by inserting after "judgeships": in the seventh, twenty-ninth and thirty-fifth districts

Amend Sec. 4, page 7, by inserting between lines 18 and 19:

(b) The provisions of 42 Pa. C.S. § 3135 (relating to increase in number of judges) shall not apply to the other additional judges herein authorized.

(c) At the municipal election in November 1981, the qualified electors of the judicial districts in which the judges authorized herein are added shall elect, in the same manner prescribed by law for the election of president judge of the court of common pleas of the districts, competent persons learned in the law to serve as additional law judges of the court of common pleas of the respective judicial districts from the first Monday in January 1982, for terms of ten years each. The offices hereby created shall come into existence on the first Monday of January 1982. Vacancies in the offices hereby created whether caused by death, resignation, expiration of term or otherwise shall be filled in the same manner as is required by law in case of similar vacancies in the office of president judge of the courts.

Amend Sec. 5, page 7, lines 22 and 23, by striking out "JANUARY 1, 1981 AS TO THE 38TH JUDICIAL DISTRICT AND"

Amend Sec. 5, page 7, line 23, by inserting a period after "DAYS"

Amend Sec. 5, page 7, lines 23 and 24, by striking out "AS TO ALL OTHER JUDICIAL DISTRICTS."

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

Senator ZEMPRELLI. Mr. President, to continue when I previously had spoken in part at a point in time when we were considering a motion to rerefer, the tragedy of what is before us here is there are certain counties that do in fact need help in the judicial system. I would point with significant emphasis to the County of Mercer; a county represented by our Minority Leader, Lycoming County, and the county of Bucks.

Then the issue gets awfully shady, somewhat suggestive of maybe some pure political inroads. Let me say why I say that, Mr. President. Somehow, somewhere you have to depend upon certain criteria upon which to determine the number of judges that should be within a particular jurisdiction, maybe not 100 per cent, but certainly to a degree where that standard would prevail throughout the counties. It would seem to me that the factors that have been advanced by the Bar Association and the Supreme Court should be, in fact, a proper basis upon which to somewhat deliberate as to whether there is a need for additional judges, assuming the productivity of all judges is the same for the purpose of argument.

Population, certainly is a critical factor. Case load on a comparative basis, is also a very significant comparable factor. When we talk about Bucks County, we talk about the progression of work in these counties, we find that the new cases filed in 1979 were 4,358. Based on the judicial load that is there now, there are 484 additional cases for each sitting judge.

Compared to what? Compared to Montgomery County that is also included in House Bill No. 960 for two judges? Compared to Delaware County that is included in this bill for two judges? Compared to Westmoreland County, my own county that is in this bill for one judge, which I would amend out by these amendments?

The point is, Mr. President, that every time we have a bill before us that speaks to the need for judicial increases in the various counties, it gets loaded. There is not any justification for two new judges in Montgomery County. There is not any justification for two more judges in Delaware County. There certainly is not any justification for the other counties that are included here for appointment to these positions immediately with the exception of three that are facing crisis situations of one sort or another, Mercer, Lycoming and Bucks.

Mr. President, what my amendments would do would be to allow the Governor to appoint an additional judge in Mercer County, an additional judge in Lycoming County and an additional judge in Bucks County. They would remove from this pork barrel package one judge for Montgomery County and I believe two judges for Delaware County.

They would say in addition to that that those additional judges that are provided for the other counties, including Erie and the like, would first become available after a vote by the electorate at the next election appropriately determined.

Mr. President, that is a fair approach to the judicial problems on a county basis in the State of Pennsylvania and I respectfully request that we put aside all this political favoritism and heap this burden upon the Commonwealth of Pennsylvania that not only rears its head in additional costs of court and all the pension benefits and all the residual benefits that go into maintaining a judiciary and vote a sensible bill that would be a judiciary bill after these amendments have been passed.

Mr. President, I ask for the full support of all Members of the Senate.

Senator KELLEY. Mr. President, it is very difficult to elaborate or expand on the comments and the substance articulated by the Majority Leader, but I sensed that there is not a great deal of reception among our colleagues.

I would ask that any Member who may be interested could look at the comparable studies of the year 1979, as provided by the Court Administrator's Office. There is no criteria, and the amendments at least will make an improvement in the substance and structure of the judicial system in this Commonwealth if we adopt the amendments.

Mr. President, I urge all my colleagues accordingly to vote in the affirmative.

And the question recurring,

Will the Senate agree to the amendments?

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

YEAS—12

Coppersmith, Early, Kelley,	Kury, Lewis, Lloyd,	Murray, Romanelli, Ross,	Scanlon, Schaefer, Zemprelli,
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NAYS—34

Andrews, Bell, Bodack, Corman, Dwyer, Fumo, Gekas, Greenleaf, Gurzenda,	Hager, Hess, Holl, Hopper, Howard, Jubelirer, Kusse, Lincoln, Loeper,	Lynch, Manbeck, McKinney, Mellow, Moore, O'Connell, Orlando, Pecora,	Price, Reibman, Smith, Snyder, Stapleton, Stauffer, Stout, Tilghman,
---	---	---	---

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

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

On the question,

Shall the bill pass finally?

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

YEAS—38

Andrews, Bell, Bodack, Coppersmith, Corman, Dwyer, Fumo, Gekas, Greenleaf, Gurzenda,	Hager, Hess, Holl, Hopper, Howard, Jubelirer, Kury, Kusse, Lewis, Lincoln,	Lloyd, Loeper, Lynch, Manbeck, McKinney, Mellow, Moore, O'Connell, Orlando,	Pecora, Price, Reibman, Smith, Snyder, Stapleton, Stauffer, Stout, Tilghman,
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NAYS—8

Early, Kelley,	Murray, Romanelli,	Ross, Scanlon,	Schaefer, Zemprelli,
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

SUPPLEMENTAL CALENDAR

BILL WHICH HOUSE HAS NONCONCURRED IN
SENATE AMENDMENTSSENATE RECEDES FROM ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO HB 2134

HB 2134 (Pr. No. 3642) — Senator ZEMPRELLI. Mr. President, I move that the Senate do recede from its amendments nonconcurrred in by the House to House Bill No. 2134.

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—48

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

NAYS—0

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

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

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 890 (Pr. No. 1975) — Senator ZEMPRELLI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 890.

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

Senator HAGER. Mr. President, I desire to interrogate the gentleman from Indiana, Senator Stapleton.

The PRESIDENT. Will the gentleman from Indiana, Senator Stapleton, permit himself to be interrogated?

Senator STAPLETON. I will, Mr. President.

Senator HAGER. Mr. President, I had a request from a Member of the House of Representatives who feels this area requires further study and would like this bill to go over. It is my understanding that the gentleman from Indiana, Senator Stapleton, feels differently about it and perhaps could give us some explanation of the bill, because otherwise I would have to ask for it to go over.

Senator STAPLETON. Mr. President, Senate Bill No. 890 is most important to the Meadows Racetrack in western Pennsylvania. All of the racetracks presently receive twenty-five per cent of the take on exotic racing. Presently the Meadows is eighteen per cent and all it would do would make it equal to all of the tracks in the State of Pennsylvania.

Senator HAGER. Mr. President, may I ask this of the gentleman: Does this add some kind of new and, as he called it, exotic betting which is not permitted at other racetracks in Pennsylvania?

Senator STAPLETON. Mr. President, it is my understanding that the exotic bets at the track are at the other racetracks in the State of Pennsylvania and this would give them the same privileges that the other tracks have. The main concept of the necessity of this bill at this point in time is the fact that two years ago the Meadows Racetrack, at that time, had the opportunity to do it the same as all of the other racetracks, to go twenty-five per cent. They decided at that time to stay at nineteen per cent or eighteen per cent and now they feel they would like to be equal to the other tracks and receive their twenty-five per cent.

Senator HOWARD. Mr. President, I would like to use as a reference Dr. Orlando, who is our house expert on betting, but in the Committee on Appropriations the other day, we had a bill discussing this very problem of raising the amount of the proceeds held by the tracks. It was my understanding based upon what Dr. Orlando told the Committee at that time that all the harness racing tracks in Pennsylvania today are under the nineteen per cent rule and that there is presently legislation elsewhere in the legislative process that would raise all of them to twenty-five per cent, a subject which I had expected this Legislature would have to confront and debate at some length when we return in the fall. If in fact the amendments to this bill deal only with one of those tracks, I certainly feel that it should be put over rather than acted upon at this time because I do not, on the basis of what I heard in the Committee on Appropriations the other day, think the answer that the gentleman from Indiana, Senator Stapleton, gave us coincides with that information that was presented yesterday by the gentleman from Erie, Senator Orlando.

Mr. President, I desire to interrogate the gentleman from Erie, Senator Orlando.

The PRESIDENT. Will the gentleman from Erie, Senator Orlando, permit himself to be interrogated?

Senator ORLANDO. I will, Mr. President.

Senator HOWARD. Mr. President, I wonder if the gentleman from Erie, Senator Orlando, could clarify that matter for us?

Senator ORLANDO. Mr. President, the exotic betting is taking place at all of these tracks. It is at twenty-five per cent except for the Meadows, which was at either eighteen or nineteen per cent and this bill brings them up to par with the rest of the harness racing tracks relative to the exotic betting.

Senator HOWARD. Mr. President, then is the gentleman from Erie, Senator Orlando, telling us that Liberty Bell and the other three harness racing tracks in Pennsylvania presently are at twenty-five per cent? It was my understanding the other

day that the gentleman told us that all of the harness racing tracks were at nineteen per cent.

Senator ORLANDO. Mr. President, I did not say that in the meeting that we held relative to this legislation.

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

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

YEAS—46

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

NAYS—2

Greenleaf, Howard,

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.

RECESS

Senator ZEMPRELLI. Mr. President, I request a recess of the Senate for a very short meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. For the purpose of a very brief meeting of the Committee on Rules and Executive Nominations, the Chair declares the Senate in recess.

AFTER RECESS

The PRESIDENT. 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 nomination, made by His Excellency, the Governor, which was read by the Clerk as follows:

MEMBER OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

May 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 Samuel McCullough, 922 Sunnyside Avenue, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Public School Employees' Retirement Board, to serve until February 14, 1983, and until his successor is appointed and qualified, vice John B. Killian, Esquire, Harrisburg, whose term expired.

DICK THORNBURGH.

EXECUTIVE NOMINATION EXECUTIVE SESSION

Motion was made by Senator FUMO,

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

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATION

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

NOMINATION TAKEN FROM THE TABLE

Senator FUMO. Mr. President, I call from the table for consideration the nomination reported from committee today and previously read by the Clerk for Samuel McCullough, as a member of the Public School Employees' Retirement Board.

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—48

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

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.

UNFINISHED BUSINESS**SENATE RESOLUTION****SENATE EXPRESSES CONCERN FOR NURSING EDUCATION PLANS AND ENCOURAGES CONTINUED DIVERSITY AMONG NURSE EDUCATION PROGRAMS**

Senators HAGER and SNYDER offered the following resolution (**Serial No. 111**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, July 2, 1980,

WHEREAS, The American Nurses Association has endorsed proposals, commonly referred to as the 1985 Proposal that would mandate college degrees for those entering the nursing profession; and

WHEREAS, A shortage of nurses exists in the Commonwealth at the present time and this shortage is expected to become more acute in the future; and

WHEREAS, The nursing shortage has profound implications for the availability, quality, and cost of health care services to the citizens of the Commonwealth; and

WHEREAS, Adoption of the 1985 Proposal would not improve health care services, and in fact might aggravate the growing nurse shortage; and

WHEREAS, Adoption of the 1985 Proposal would raise the cost of educating nurses, thereby inhibiting efforts to alleviate the shortage; and

WHEREAS, Currently, Pennsylvania is fortunate to have a wide range of institutions training those interested in nursing careers; and

WHEREAS, This diversity of nurse training institutions has served both the health care needs of Pennsylvania citizens and the professional needs of prospective nurses; therefore be it

RESOLVED, That the Senate of Pennsylvania express its concern for nursing education plans; and be it further

RESOLVED, That the Senate do all it can to encourage continued diversity among nurse education programs; and be it further

RESOLVED, That a copy of this resolution be forwarded to the administrator of each school of nursing within the Commonwealth of Pennsylvania.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mary Chrobak and Kathy Travers by Senator Andrews.

Congratulations of the Senate were extended to the Officers and Cadets of Daniel J. Flood Squadron 209, Thirty-first Wing, Pennsylvania Civil Air Patrol, by Senator O'Connell.

Congratulations of the Senate were extended to the Slovak Catholic Sokol by Senator Reibman.

Congratulations of the Senate were extended to Mr. and Mrs. Stanley Patalan, Mr. and Mrs. Clarence W. Lusk, Mr. and Mrs. Irvin Brownlee, Mr. and Mrs. Noah Thompson, Mr. and Mrs. Loraine Jensen and to Mr. and Mrs. Melvin S. Houston by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony Friedel, Mr. and Mrs. Giovanni Montemurro, Mr. and Mrs. James Shaw, Mr. and Mrs. Charles Jaroszewski and to Mr. and Mrs. Raymond J. Hepp by Senator Bodack.

Congratulations of the Senate were extended to Rebecca Hall by Senators Gekas and Hopper.

Congratulations of the Senate were extended to Donald Schafer by Senator Gurzenda.

CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolution, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late Joseph Fortuna by Senator Fumo.

HOUSE MESSAGES**HOUSE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE**

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted Reports of Committees of Conference on **SB 985** and **986**.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 1527, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1527**, and has appointed Messrs. HASAY, LEHR and F. TAYLOR 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.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 1840**.

BILLS SIGNED

The President (Lieutenant Governor William W. Scranton III) in the presence of the Senate signed the following bills:

SB 68, 890, 985, 986, 1145, 1201, 1287, HB 552 and **1840**.

COMMITTEE OF CONFERENCE APPOINTED ON SB 414

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators STAPLETON, SCANLON and HOWARD as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 414.

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

RECESS

Senator ZEMPRELLI. Mr. President, I request a recess of the Senate until the call of the Chair.

The PRESIDENT. The Chair hears no objection. The Senate will stand in recess.

AFTER RECESS

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

HOUSE MESSAGES**HOUSE BILL FOR CONCURRENCE**

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 1542**, which was referred to the Committee on Appropriations.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate **SB 1053**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate **SB 265**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 62, 382, 421, 960 and 2290**.

BILLS SIGNED

The President (Lieutenant Governor William W. Scranton

III) in the presence of the Senate signed the following bills:

SB 265, HB 62, 382, 421, 960, 2104, 2134, 2290 and 2724.

RECESS

Senator ROSS. Mr. President, I move that the Senate do now adjourn until Monday, September 15, 1980, and reconvene at 3:00 p.m. Eastern Daylight Saving Time.

Senator HAGER. Mr. President, may we be at ease for a moment.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator ROSS. Mr. President, I would like to amend the motion that I just made. I would request that the Senate stand in recess until the call of the Chair.

The PRESIDENT. If there is no objection, the Senate will stand in recess until the call of the Chair.

AFTER RECESS

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

ADJOURNMENT

Senator MURRAY. Mr. President, I move that the Senate do now adjourn until Monday, September 15, 1980, at 3:00 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

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