

Legislative Journal

WEDNESDAY, APRIL 8, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 22

SENATE

WEDNESDAY, April 8, 1981.

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

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

PRAYER

The following prayer was offered by the gentleman from Allegheny, Senator SCANLON:

Dear Lord, please grant us the courage to change those things that we can, the serenity to accept those things that we cannot change and the wisdom to know the difference.

We ask this through Christ our Lord. 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 JUBELIRER, further reading was dispensed with, and the Journal was approved.

SENATOR JUBELIRER TO VOTE FOR SENATOR STAUFFER, SENATOR O'CONNELL AND SENATOR FISHER

Senator JUBELIRER. Mr. President, I request legislative leave of absence for Senator Stauffer, who is in the building with the Tax Commission and for Senator O'Connell who is traveling with the Governor on legislative business.

Mr. President, I have just been advised Senator Fisher is with the Secretary of Education on legislative business and we would request a legislative leave for Senator Fisher as well.

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

LEAVE OF ABSENCE

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

BILLS INTRODUCED AND REFERRED

Senator HOLL presented to the Chair **SB 682**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the giving of certain drivers' examinations by certified driver learning instructors.

Which was committed to the Committee on TRANSPORTATION, April 8, 1981.

Senators BELL, LYNCH, RHOADES, SMITH and STREET presented to the Chair **SB 683**, entitled:

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," providing compensation for an asbestos related disease.

Which was committed to the Committee on LABOR AND INDUSTRY, April 8, 1981.

Senators SINGEL, MANBECK, LYNCH, ANDREZESKI, STAPLETON, STOUT, KUSSE, FISHER, SHAFFER, O'PAKE, BODACK, SMITH, LOEPER, PECORA, KELLEY, MESSINGER and MELLOW presented to the Chair **SB 684**, entitled:

An Act abandoning to the City of Johnstown a part of Route 271 in the City of Johnstown.

Which was committed to the Committee on TRANSPORTATION, April 8, 1981.

Senators MELLOW and O'CONNELL presented to the Chair **SB 685**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing the name of the Farview State Hospital to the Northeast State Hospital.

Which was committed to the Committee on STATE GOVERNMENT, April 8, 1981.

Senators O'PAKE, SMITH, LYNCH, LEWIS, MCKINNEY and PRICE presented to the Chair **SB 686**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

Which was committed to the Committee on JUDICIARY, April 8, 1981.

Senators O'PAKE, LLOYD, SMITH, LYNCH, LEWIS, MCKINNEY and PRICE presented to the Chair **SB 687**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

Which was committed to the Committee on JUDICIARY, April 8, 1981.

Senators O'PAKE, LLOYD, SMITH, LEWIS, MCKINNEY and PRICE presented to the Chair **SB 688**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

Which was committed to the Committee on JUDICIARY, April 8, 1981.

Senators O'PAKE, LLOYD, SMITH, LYNCH, LEWIS, MCKINNEY and PRICE presented to the Chair **SB 689**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

Which was committed to the Committee on JUDICIARY, April 8, 1981.

Senators ROSS, ZEMPRELLI, HAGER, KELLEY, HELFRICK and MURRAY presented to the Chair **SB 690**, entitled:

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), entitled, as amended, "Pennsylvania Harness Racing Law," increasing the population levels of boroughs for certain grants and including certain third class cities for purposes of receiving grants.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 8, 1981.

Senators ROSS, ZEMPRELLI, MURRAY, SCANLON, LEWIS, PECORA, CORMAN and KELLEY presented to the Chair **SB 691**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), entitled "The Third Class City Code," further providing for hours of service for firemen.

Which was committed to the Committee on LOCAL GOVERNMENT, April 8, 1981.

Senators ROSS, FISHER, ANDREZESKI, LEWIS, EARLY, O'CONNELL, STAUFFER and MELLOW presented to the Chair **SB 692**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting the rescission of residential preferential rates.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 8, 1981.

Senators ZEMPRELLI, ROSS, SCANLON, MURRAY, LLOYD, SINGEL, CORMAN, RHOADES, SHAFFER and PECORA presented to the Chair **SB 693**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interpreters for certain deaf persons in civil proceedings.

Which was committed to the Committee on JUDICIARY, April 8, 1981.

Senators GREENLEAF and HELFRICK presented to the Chair **SB 694**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school buses to use flashing lights when carrying children to summer camps.

Which was committed to the Committee on TRANSPORTATION, April 8, 1981.

Senator GREENLEAF presented to the Chair **SB 695**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the semiannual calibration of portable scales.

Which was committed to the Committee on TRANSPORTATION, April 8, 1981.

Senator GREENLEAF presented to the Chair **SB 696**, entitled:

An Act amending the act of July 19, 1974 (P. L. 489, No. 176), entitled "Pennsylvania No-fault Motor Vehicle Insurance Act," providing for commencement of the action to recover benefits and award of punitive and other damages in certain cases.

Which was committed to the Committee on BANKING AND INSURANCE, April 8, 1981.

Senators GREENLEAF and HELFRICK presented to the Chair **SB 697**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring issuance of a permit for installation of traffic control signals under certain circumstances.

Which was committed to the Committee on TRANSPORTATION, April 8, 1981.

Senators STREET, HANKINS, BELL, ROMANELLI, O'CONNELL, MESSINGER, ROSS, LEWIS, PECORA, ZEMPRELLI and LOEPER presented to the Chair **SB 698**, 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 COMMUNITY AND ECONOMIC DEVELOPMENT, April 8, 1981.

Senators STREET, HANKINS, ROMANELLI, BELL, ANDREZESKI, O'CONNELL, PRICE, MESSINGER, ROSS, LEWIS, PECORA, LLOYD, MURRAY, ZEMPRELLI and LOEPER presented to the Chair **SB 699**, 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 COMMUNITY AND ECONOMIC DEVELOPMENT, April 8, 1981.

Senators KELLEY and GREENLEAF presented to the Chair **SB 700**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for special occasion permits.

Which was committed to the Committee on LAW AND JUSTICE, April 8, 1981.

Senators PRICE, CORMAN, FISHER and GREENLEAF presented to the Chair **SB 701**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), entitled "Vital Statistics Law of 1953," further providing for certain records relating to birth and adoption.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 8, 1981.

CALENDAR

SB 422 CALLED UP OUT OF ORDER

SB 422 (Pr. No. 428) — Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator JUBELIRER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 422 (Pr. No. 428) — 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—41

Andrezeski	Holl	Messinger	Shaffer
Bell	Hopper	Moore	Singel
Bodack	Howard	Murray	Smith
Corman	Jubelirer	O'Connell	Snyder
Early	Kelley	Pecora	Stapleton
Fisher	Kusse	Price	Stauffer
Gekas	Loeper	Reibman	Stout
Greenleaf	McKinney	Rhoades	Street
Hager	Manbeck	Ross	Tilghman
Helfrick	Mellow	Scanlon	Zemprelli
Hess			

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.

SPECIAL ORDER OF BUSINESS

HOUSE CONCURRENT RESOLUTION
NO. 24, CALLED UP OUT OF ORDER

Senator JUBELIRER, without objection, called up out of order, as a Special Order of Business, from page 12 of the Calendar, House Concurrent Resolution No. 24, entitled:

General Assembly urges and directs Pennsylvania Commission on Sentencing revise and resubmit sentencing guidelines.

On the question,
Will the Senate concur in the resolution?

HOUSE CONCURRENT RESOLUTION
NO. 24, ADOPTED

Senator JUBELIRER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 24.

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

Senator GEKAS. Mr. President, although I am going to vote against this resolution, I know through a private poll that I have conducted among the Members of the Senate that the resolution most probably will carry. That will result in the rejection of the present guidelines with the kind of a remand back to the commission for further study with another report

to be rendered pursuant to some suggested changes six months hence.

Mr. President, I would be completely unfair to this project and to the mandate of the Senate and the General Assembly as a whole which created the Sentencing Commission if I did not take a few minutes of the record to explain the work of the commission, how we arrived at the conclusions and to dispel, if I may, the incorrect image that has been cast on the sentencing guidelines as being too lenient. That is just not the case. I do not care what judges and what district attorneys or other important persons have said about them.

First, we must understand, Mr. President, that we on the commission, which included two Members of the Senate, followed the mandate of our legislation which said, go to the drawing boards of the criminal statutes and create a set of guidelines within those statutes that would insure as best as humans can insure to shrink the disparity between sentences that are given out within one courthouse and between courthouses on a whole range of crimes that we have found over the years to have been the case. That is number one.

Number two, keep in mind, the General Assembly said, that we do not want to rip away fully the discretion of the judges to impose sentences, so we want you to create sentencing guidelines with ranges of sentencing and then to allow the judges, because of the peculiar circumstances of the case that is before them, to vary from those guidelines if need be. This was the mandate.

There are other specifics in that mandate but for the purpose of the argument, those are the basic themes of what the Senate asked us to do.

The gentleman from Westmoreland, Senator Kelley, and I and Members of the other Body plus judges, plus prosecutors—one actual prosecutor and four former prosecutors—went about that business. This is extremely important, we started from hour number one in the deliberations of the commission following the mandates of the Senate and the House with a kind of friendly warning to the Members of the commission that we must demonstrate to the General Assembly that we are going to be tougher and tougher on the violent offender. That is what the Legislature wants. We said to them the reason we are in existence as a commission is because the Senate and the House could not grapple, could not come to grips with the issue of mandatory sentencing. Even though every Member of the Senate at one time or another has voted or almost voted on the issue favoring mandatory sentencing, yet the General Assembly was never able to project itself into a system of mandatory sentencing for a variety of reasons. Mr. President, knowing the General Assembly wanted to be tougher on the violent offender, we set about that business of doing so.

When we published the final report, in which we took these guidelines within the statutes already created by the General Assembly, we knew that by the statistical evidence we had from all sixty-seven counties, that indeed superimposing our guidelines over the statistics of 1977 would have demonstrated without fail that had our guidelines been in effect in 1977 for the violent offenders, there would have been twenty-five per

cent or more individuals going to jail for those crimes for longer sentences. I reject any kind of projection that anybody has made in the past that we have been lenient.

Mr. President, let us analyze, and I must ask for the patience of my colleagues on this because it is extremely important.

Most of us are aware, are we not, that on a conviction of robbery an individual is susceptible under the present law which we created to be convicted as guilty of Felony I. That allows a judge to impose a sentence of ten to twenty years for that offense. That means that person cannot be sentenced to twelve years in jail, but only ten, ten to twenty. If other things happen in the meantime while he is in jail, and other aggravating circumstances occur, he could go to twenty years. The sentence as we have prescribed it in the statute would be ten to twenty years. How many of us are aware that the judge in that case, for the most vicious of robberies or rapes or arsons which are Felony I's, can sentence under today's law to immediate probation, zero time in jail. That is what the law is today. The statute says ten to twenty years for a violent rape or an arson, yet the judge can give immediate probation.

What does that mean to us, Mr. President? It should mean that now when the sentencing guidelines call for a minimum thinking beginning range for the judge to be three or four years, that is not to advocate that this individual receive three or four years, it is to advocate the judge begin his thinking at three years rather than at zero. In that one example that I give you, Mr. President, I tell you that the Sentencing Commission guidelines are tougher than the existing practices. We are in effect saying to the judge you cannot even think of probation at that juncture when you are considering a Felony I. That goes throughout all of these sentencing guidelines.

At the same time we are saying, if he uses a gun, it has to be even higher in the starting of your thinking, Mr. Judge, and if he seriously hurts that other individual, the victim of the crime, add another point to this system and make it even tougher, and so on and so forth. I tell you, Mr. President, without fear of contradiction these sentencing guidelines are tough.

What we are talking about is this: The critics who have said they are lenient are saying they are lenient because they believe we are advocating a sentence of two years for a rape or three years for a robbery when all we are saying is this is the recommended minimum—I stress minimum—as a guideline from where the thinking of the sentencing judge shall begin. Then they can go up to the maximum. Because the mandate of this General Assembly also said to the Members of the Sentencing Commission, you should allow discretion of such a degree in these sentencing guidelines that a judge for particular circumstances should be able to go below the guidelines because he is really the man in charge of the case before him or, in some cases to be more severe than even the guidelines suggest, we built that into the guidelines following your directions. Then we placed one tremendous burden which the judges have decried. We have said when the judge decides, because of the peculiar circumstances, this case must go beyond the guideline, either up or down, he must say why. We have heard

judge after judge complain about that particular mandate. We feel in a complete reform of the sentencing structure that is not too great a burden to place on the judge.

Mr. President, case law and other facets of the law demands that already in other aspects of sentencing and this would not add to that mandate too much.

Mr. President, let us get down to a classroom demonstration. The gentleman from Berks, Senator O'Pake, as Minority Chairman of the Committee on Judiciary, in one of the meetings we had, brought up the Hinckley case and said how this was a demonstration of how lenient the sentencing guidelines were. The gentleman then proceeded to say that according to his calculations of the guidelines that the Hinckley case, had it been tried in Pennsylvania, having been convicted here, would have yielded only sixty-six months, or something like that. The gentleman can correct me if I am incorrect in my resume of what he said. It just so happens that if the Hinckley case had happened in Pennsylvania, it would have been an attempted murder charge brought against him and under the current law he would have received a maximum of sixty months, five to ten years, because attempted murder is a Felony II which we in the General Assembly have set, before these guidelines ever came into existence, as being a Felony II punishable by five to ten years. So the gentleman from Berks, Senator O'Pake, who endorsed our guidelines by showing that by his calculation it shows sixty-six months, a tougher sentence than the law presently permits.

Mr. President, it is not enough. To show you how severe we would be, I want you to exercise with me the Hinckley case with the documents in front of you.

First, take the form that is in front of you which is captioned "Pennsylvania Commission on Sentencing," which is a form that has blocks which should be filled in where it has "Offender's Name" up at the top left. Please do this with me, it is good for understanding the system. Mark in there with your pens or pencils the offender's name, Hinckley. Let us assume he is coming under the jurisdiction of Pennsylvania for what he did a week ago or a week and a day or two ago, or you can put in your own name if that will make you feel better. Hinckley is the name of the offender. We will not go into the other things about the particulars on his sex, his race, et cetera. You are the judge.

Where it says "Conviction Offense," we will assume he is convicted of attempted murder on President Reagan. That is a Felony II and you will have to accept my word for it now, that under the commission rank, that becomes a nine. So where "Offense Rank," under "Offense Score" comes down, for an attempted murder, you put in block A the number nine. We can dispute that later if we want.

The next one is "Serious Bodily Injury." Was there serious bodily injury in the attack on President Reagan? The obvious answer is yes. We must add one point for serious bodily injury.

Next, "Deadly Weapon Use or Possession." Was there a deadly weapon used or possessed during the perpetration of this attack on President Reagan? The answer is yes, and we should add one point.

Was there a discharge of a firearm? That is the next category. The answer is yes, and we add one point to that. Adding all those up for the Total Offense Score we get twelve as the Total Offense Score.

On the right side, where we are talking about the offender, we look to see if there were any prior misdemeanors. We find none in Hinckley's record. There is, however, we believe, a prior felony possible in his record, so we have added one under F, "Prior Felonies and Other Offenses," including the fact that he was previously found at some other points with guns in his possession, as you will recall the newspaper articles on his profile. So under "Total Offender's Score," you add one. We have in our system under the sentencing guidelines a twelve-one.

Mr. President, please look at the chart to see what all this means. Put the chart in front of you, which is the guidelines sentence chart. On the lefthand side we will see where it says Offense Score, we go up from one to what we have found as being number twelve, which is the very top, the most severe top corner that we have, the top lefthand corner then is twelve. That would be seventy-eight months to ninety months as a minimum, not maximum, but minimum sentence for this. But we also have to move over to one because the offender had this extra one put on him, so we are in the twelve-one cell which calls for eighty-four to ninety-six months as a minimum for the Hinckley offense, Mr. President, way above the statutory authority of this Commonwealth, which suggests to the General Assembly that we must lift the statutory authorization but very tough, extremely tough, on the part of the sentencing guidelines.

That is not all, Mr. President. When we add to this that Hinckley also shot at and wounded three other individuals, the sentencing guidelines allow for an overage of punishment for consecutive sentences for concurrent crimes. In this outline, without going into the specifics, we would add another three year recommended minimum, and this could be five years for each of the other offenses. Therefore, under the Hinckley case, had it happened in Pennsylvania under the exact circumstances, whether it was an average citizen or a Senator or a President or a person on the street, whoever happened to be the victim, the sentencing guidelines would have called for a susceptibility of seventeen years minimum under the recommended minimum to the judge, not prohibiting from going higher, for that attempted murder even though the present law would only call for five to ten years on the one case and the most the judge could put on, if you put all four of them on the maximum for all four counts at twenty years. So we are at seventeen years as the beginning point and urging the judges to go above if it is a serious case. That is exactly what these guidelines do across the board.

Mr. President, there is no question on the crime of flag desecration or shoplifting or other things in those lower ranges. Some of the district attorneys' points were well taken with respect to some horror stories about one case that I had. In my case, if the sentencing guidelines would have been opposed, he would have been released and so forth. There are individual cases which do not fit the mold. What we try to do

is take the great massive cases and centralize them and put them in such a place that with the statistics at our advantage, we were able to come up with sentencing guidelines that would serve the purpose of increasing penalties for the serious offender and trying to reduce the disparity that happens so often among the sixty-seven counties. This is the meat of what the sentencing guidelines are.

Mr. President, I know that the media, through many other voices heard on this, have, I feel, misprojected, misinterpreted and caused misunderstanding about the sentencing guidelines but I know it was a good piece of work and that it followed our mandate.

Mr. President, I ask you, even though I know it is probably not forthcoming, to vote "no" on this resolution.

Senator O'PAKE. Mr. President, I rise to request a "yes" vote on this resolution because I believe the Sentencing Commission guidelines must be rejected.

By way of history, almost three years ago now, in May of 1978, legislation was introduced in the Senate, that was Senate Bill No. 1483, by myself and many others, which would impose a five year mandatory minimum jail sentence for repeat offenders of eight violent crimes. We are talking about rape, arson, kidnapping, armed robbery, assault with a deadly weapon, voluntary manslaughter, murder of the third degree and deviate sexual assault. Unfortunately, in that Session, we were unsuccessful in getting that measure enacted. Instead, we settled for the only compromise we could get in 1978 and that was a temporary system of four year minimum jail sentences for the repeat offenders in those eight categories of crime. At the same time in that legislation we created the Pennsylvania Commission of Sentencing, which has now submitted its recommendations for legislative approval.

Mr. President, by way of a footnote, it is interesting that the same appeal process, which is recommended by the Sentencing Commission was also contained in that legislation which took effect January 1, 1979. It is equally interesting to note that of the appeals filed by district attorneys who thought that the minimum was not imposed, in other words the sentence was too soft even for repeat offenders, none of those appeals have been handed down reversing the decision of the trial court. In other words, even though the district attorney in Philadelphia, and that is where the bulk of them came from, thought that the sentence was too lenient and he took the appeal, which is supposed to be one of the good points of this Commission report, none of those appeals were decided in the district attorney's favor. In other words, trial judges have pretty much unlimited discretion in that regard even when we do make recommendations.

Mr. President, the commission was instructed to develop a workable system of guidelines that would result in uniform sentencing for all crimes, felonies and misdemeanors.

The commission did develop a system which uses two kinds of scores and we have a copy of the grid or the checkerboard on our desks. One related to the offender and one related to his record, if any, and the other related to the seriousness of the offense. At the point where all these scores intersect the criminal is supposed to fit within a particular range of

minimum guidelines. If the sentencing grid is applied consistently throughout the sixty-seven counties, the result, at least in theory, will be that a robber in Philadelphia will serve no less than a robber in central Pennsylvania, in Dauphin County or Berks County or any other county.

The problem, as I see it, Mr. President, is that the proposed guidelines would make the rest of the State suffer just so we can bring sentences in the major cities up a notch or two. I do not think that is what the people of Pennsylvania want.

Mr. President, the most serious effect will be felt in the area of violent crimes which continue to be my major concern and the concern of most Pennsylvanians. As a matter of fact, since we enacted that in 1978, violent crimes increased by ten per cent in 1979 in this State and I believe the newest figures for 1980 show a thirteen per cent increase in violent crimes in Pennsylvania. That is what our constituents are concerned about. As a matter of fact last year we learned that in 1979 the Pennsylvania State Police reported that daily in Pennsylvania there were an average of 106 violent crimes committed. That is an average of one every thirteen and one half minutes. What is the Sentencing Commission's response to that overriding concern and fear really? They have come up with a grid, a checkerboard, if you will.

First of all, I do not think that we can dispense justice by a checkerboard in this State. Secondly, even if we go by the checkerboard and we move up two and to the right one and down one and over to the left we have what are recommended minimums. Just as the recommended minimums which we adopted in 1978 for repeat offenders in only eight serious violent crimes have not worked, I respectfully submit that you recommend to a judge, those same soft lenient judges that are causing the problems in the minds of the public, will have an open door to continue that softness for years to come and that is not what the people of Pennsylvania are demanding of our judicial system. The third concern is that we are going to invite appeal after appeal, even though these appeals, which in effect ask an appellate court to reverse a lower court in a matter of discretion, they just do not work.

Please do not take my word for it that these guidelines are soft, Mr. President. Take the word of the district attorneys, including an Assistant District Attorney of Dauphin County, the county of the gentleman from Dauphin, Senator Gekas, every district attorney I have heard from, every judge that I have heard from and most important of all the people that I have heard from who feel that these are going to handcuff judges who do want to be tough with tough criminals in their own individual counties. That is why I say Mr. President, that unless the Senate decisively acts today to reject the guidelines we will be sentencing Pennsylvania's innocent citizens to a mandatory term of fear and apprehension. If we sit idly by and allow these guidelines to take effect, violent and repeat offenders will be virtually free to continue their criminal conduct. Our judges will be handcuffed by a theory of checkerboard justice and our people, especially the elderly, will continue to fear for their personal safety and property.

Mr. President, obsessed by the goal of uniformity, the Sentencing Commission has ignored the prescription of the

people for the growing epidemic of crime. Our citizens know that only correct medicine for this insidious violent disease is tougher, longer jail sentences for violent and repeat offenders. Yet, the Sentencing Commission has prescribed what I would call an aspirin for the cancer, little or no time for our toughest criminals.

Mr. President, let us look at some examples, examples that people are concerned about, not my words or opinion, but in the words of an Assistant District Attorney of Dauphin County who says that the guidelines are too lenient and in many cases the chart or grid reaches outrageous results.

For example, a motorist, who while drunk commits homicide by vehicle and who may have had two prior drunken driving convictions, can get only one month in jail and probation is recommended. These are the words of an Assistant District Attorney in Dauphin County.

Mr. President, a defendant with a record of three prior assaults, he is convicted a fourth time, faces one month in jail, probation is recommended. These are the minimum recommended guidelines. A thief can burglarize a business firm, be convicted three times and the maximum is eight months in jail. The guidelines suggest probation.

A pervert can indecently assault children, be convicted on four or more separate occasions, receive no more than one month in jail. The guidelines suggest probation.

One can be convicted of ten retail thefts, receive no more than six months in jail. The guidelines suggest probation.

The sentence for a prostitute convicted four or more times rises no higher than one month. The guidelines recommend probation.

The guidelines do not even deal, Mr. President, with crimes that people are concerned about in the area of violations of the Drug, Device and Cosmetic Act, dealing in and pushing large scale quantities of drugs. They do not deal with violations of the Anti-Racketeering Act. They do not deal with violations involving public corruption.

Mr. President, I could go on and on, but I am not. The conclusion that I make is one reached by judges, by district attorneys, by those who are concerned about law enforcement, that while uniform sentencing is important, we should not be lulled into accepting uniformly lenient and soft sentences for dangerous criminals. Uniform sentencing can be achieved by imposing tough and stiff jail terms for those who violently attack and continually victimize our system.

In short, Mr. President, mandatory jail sentences are the answer for repeat violent criminals. Nine out of ten Americans in a very recent nationwide survey expressed the view that mandatory jail sentencing for serious criminal conduct is the only solution. Judges, district attorneys and most important of all, ordinary citizens, innocent law-biding citizens, have spoken out against the commission's lenient approach and have demanded tougher sanctions for hardened offenders.

One distinguished judge stated the issue very clearly and I would like to quote from his letter: "In this day of high crime, I think it absolutely ridiculous for the sentencing commission to tie the hands of those trial judges who wish to impose

appropriate sentence upon repeat offenders. Certainly if uniformity of sentences be a desired objective, the end should be achieved by requiring those judges who are too lenient to impose stiffer sentences not by preventing those of us who wish to impose appropriate sentences from doing so." Mr. President, that judge is right. The commission's own statistics confirm it. The random sample upon which the commission based its guidelines mixed soft sentences imposed by some lenient judges, particularly in Philadelphia, with the more appropriate and realistic sentences of other judges in the rest of the State. This approach skewed the data in favor of lighter sentences. As a result, the guidelines ignore the fact that people are fed up with coddling of the criminal by soft judges. The proposed guidelines must be rejected and the commission must be sent a strong message by this Legislature that tough sentences for dangerous criminals are needed now.

Mr. President, I urge adoption of House Resolution No. 24 and rejection of the proposed guidelines.

Senator BELL. Mr. President, I also urge adoption of House Resolution No. 24. My only problem is the resolution is not tough enough.

Mr. President, I do not have any district attorney living in my district. I have about two judges living in my district. I have a quarter million people living in my district and I am not going to speak for district attorneys or judges, I am going to talk about people, people who want to live in their homes without fear of criminals who seek to come in the window at night. People who want to walk on the street without being mugged. People who want to see their children and their wives not raped. Mr. President, I am going to be a little stronger than maybe I should be because last Tuesday night for the second time in a little over a year my home was almost burglarized. The first time they got in; this time they caught the character. From what I can gather, he is one of the hardened ones.

Mr. President, let me suggest that following up the approach of the gentleman-from Dauphin, Senator Gekas, that we gave a mandate to this commission. Apparently, the mandate was not clear enough. The legislative intent that I want this commission to get from our passing this resolution today and the passing of it over in the House of Representatives, is a mandate to this commission to do something to protect the people in their homes and not dilly-dally about what this is and what that is.

The legislative intent that I see in this resolution right across the board is that the lenient courts must give strong sentences to protect the citizen on the street, in their business places and in their homes from criminals. The citizens of our State must no longer live in constant fear. I hope this is the intent of everybody who votes for House Resolution No. 24 today. If this is a legislative commission, and I think it is, we want them to come back with some tough guidelines across the board. I am not going into the block system or this offense or that offense. Any offense that endangers a peace-loving citizen to me is serious. It is time that we, as a Legislature, do something about it.

Mr. President, some of my colleagues were in the Committee on State Government yesterday. We heard the State President of Trial Judges of Pennsylvania come up and plea to the committee that they keep retention elections and they keep cross-filing. That gentleman, who is a learned judge, said, "We, the judges, determine the facts and we impose the law."

He said, "You, the Legislators, determine the policy that goes into the law." Well, Mr. President, this morning, it is a good time to send a message of policy.

Senator KELLEY. Mr. President, I suppose if we want to examine the issue really, the substance before us is probably more important than what we want to debate in any other issue because we are really not talking about judges and district attorneys, we are really not talking about anything else but what the gentleman from Delaware, Senator Bell, said about the people.

Mr. President, we talk about people in many senses in this Body in legislating and I think one thing we ought to keep in mind, Mr. President, is when we talk about people on this issue, we are talking about a conceptual idea called justice. If we want to talk about the safety that people feel in their homes or on the streets, and we correlate it to sentencing, I think we have missed the concept of justice. If we want to talk about the safety that people feel in their homes and on the streets in relationship to justice, talk about the government providing the security of law enforcement officers in patrolling, investigating, pursuing and getting convictions. If we want to talk about sentencing in the conceptual aspect of justice, let us talk in terms of the human features. So many of us proudly talk about the right to life. So many of us talk about under the colors of this country and this Commonwealth, about the freedoms we have. If we talk about constraints and restraints of people, in incarceration, and we fail to relate it to the sense of justice, then we have lost the concept of purpose of why we are here in the first place.

Mr. President, everything the gentleman from Dauphin, Senator Gekas, spoke about these guidelines was accurate and it is not for me to repeat them. It was a job and a job well done not because the gentleman and I participated in it as the agents of this Body, but because we witnessed in the Senate's behalf participation in a commission created legislatively to make an imposition of law. Do you realize what we did when we created that commission, Mr. President? We delegated our authority to make law. What we said was it becomes law unless this Body and the other Body reject it. Now if there are some of us who want to say let us give a directive, let us give a suggestion, let us give a message, to the commission, I say, let us no longer abrogate our duties, abolish the commission and let us go through the pains of trying to conceptualize justice and realize that these guidelines are nothing more than a suggested minimum of a broad base scope with what most judges, most crimes, fit. Not all, as the gentleman from Berks, Senator O'Pake, said. We know that. We also said to the judges we want to guard and protect because you and I in talking here, we cannot talk about justice in a finite term because we do not know the facts of what the case is going to

be. That is why historically we have always said there are going to be minimums and there are going to be maximums. It is a scope. When the case comes in, the facts are exposed and the judge makes his finding, he and he alone must do it. We left the gates open to say in those circumstances where we should be factually and for justice lower or higher, the judge has that ability. We do not want to take it away from them. We want to guard and protect it.

Mr. President, why are we so upset? Are we really over-responding because some judges, and may I say they are judges in my readings, every judge that has come forth, to my knowledge, and made a public statement on this, has done so because he happens coincidentally to be a candidate for a statewide office, or a candidate for reelection and retention, getting some momentum, getting some publicity, it appeals to the people on the street.

Mr. President, I say to you, it is not for us to deal with this in an emotional sense other than the belief in the feeling to achieve justice because if we start responding to what the people want, the average person will say, "Throw them in jail, lock them up." Now if that meets our standard and test of justice, disregarding the sensitivities and the degree of crime and the elements we have put in here in measuring the offense, and measuring the offender's score, that is fine. Be prepared if we want to change our system of government and our freedoms of protection to the Constitution. Remember we have a Federal guarantee to every citizen in limiting the type of penalties that are given in any given case. We have a mandate constitutionally under our oath to protect justice. I say to you, Mr. President, there is no other way to achieve the concept of justice than what these guidelines represent unless we want to continue and revert, and say for every specific crime set, and let the judges practice what they have had. If we want to maintain a disparity, so be it. Maybe it is right to have some disparity between the different elements of the Commonwealth. There is a great difference among us in our demographic makeups, in our practices. If that is the case, Mr. President, then again abolish the commission and let us practice what we have been doing. Let us not use this resolution as a tool to frustrate the system of justice and the goals we try to achieve. Let us not misuse it to prostitute what I believe is often a practice of many, many people to use the crime and the motions of crime and to impute it upon the system with which we are all participating.

Mr. President, I urge a negative vote. I urge a negative vote because I believe from the testimony and everything that went in here, we have given the Judiciary a clear standard, not checkerboard play, but a reasonable way to ascertain a fair beginning point as the gentleman from Dauphin, Senator Gekas, said.

Mr. President, I do not think there is any better or more responsible thing that we have done as far as sentencing goes in the history of this Commonwealth, than these sentencing guidelines. If we do reject it, Mr. President, take the responsibility and do not abrogate it to another reconsideration by the commission. Take it unto yourselves and do it because I say we cannot improve on this which has already been here.

Mr. President, I urge a negative vote.

Senator ROSS. Mr. President, for the sake of saving time, I would like to go on record that I am in total support of House Resolution No. 24, a resolution rejecting the sentencing guidelines promulgated by the Pennsylvania Sentencing Commission. After many meetings with my Common Pleas Court Judges and the law enforcement officials in my district, they are in opposition to these guidelines and my opposition is twofold:

One, the sentencing guidelines eliminate the historic principle of judicial discretion.

Two, the sentencing guidelines are too lenient and inappropriate in relation to the severity of the crimes involved.

Due to the guidelines elimination of judicial discretion, judges will become only administrators instead of adjudicators.

In a time of severe increases in crime, especially violent crime, it is totally illogical to make sentences more lenient. This would only serve as an incentive to criminals since many convicted criminals will be placed on parole instead of incarceration. This is a poor way to solve the problem of overcrowded jails.

Senator FISHER. Mr. President, if my remarks were in written form as were those of my prior colleague, the gentleman from Beaver, Senator Ross, I would do likewise for the sake of expediency and also because I stand here before the microphone with the expectation that not too much that I will say in opposition to this resolution probably will have much effect on the outcome of the vote before this Body today. The reason I admit that is I think certain opinions are probably already fixed from conversations that all of the Members of the Senate have had with district attorneys and judges in those respective districts they represent and I respect those opinions.

I think it is interesting that we are here today some two years later after the time this General Assembly adopted the legislation that established a Sentencing Commission. We are here today at a time when no time in my recollection has there been a more heightened fear with crime in our society and with criminals and what to do with them. I think the words of the gentleman from Berks, Senator O'Pake, who spoke so eloquently in favor of the resolution, that people are tired of coddling criminals by soft judges is probably a pretty fair statement of the issue that is before us today. I do not think it is a fair statement of the issue that is dispositive of what should be done with the guidelines established by the Pennsylvania Commission on Sentencing.

Mr. President, the Commission on Sentencing was given a difficult task. I have to agree with my colleague, the gentleman from Westmoreland, Senator Kelley, that if we do not agree with these guidelines, I think there is little hope that a reconvening of that commission and a formulation of new guidelines will bring forward to this Senate and to the House of Representatives guidelines that will be any more acceptable to the people of Pennsylvania.

The gentleman from Westmoreland, Senator Kelley, was correct when he said the people of Pennsylvania and their atti-

tude towards criminals is generally, "throw them all in jail." I think that is a correct perception of what the people would like to see done. Just remember that is not what is done. That is not what is done in Pennsylvania today and that has not been done in Pennsylvania over the years which I have been affiliated with the criminal justice system. Throwing people in jail is certainly a goal of a lot of people. It might be a goal of a lot of prosecutors. It might be a goal of a lot of police. The Judiciary of this Commonwealth is in a very difficult position when they sit and determine the case-by-case system which we put them in.

Mr. President, there is no stage in the criminal proceeding that I think as a former prosecutor is more difficult than the sentencing stage. There is no stage in the criminal proceeding where I have personally felt more frustrated and more unable to convey to a particular judge or a particular jurist what I thought was the appropriate sentence for a crime. Certain judges and certain jurists, regardless of what county they are from, have predispositions towards the handling of offenders for certain offenses and towards the handling of offenders in certain age groups that differ from one to the other.

Mr. President, in my county the hue and cry against these guidelines is, it is too tough. It is not too lenient, it is too tough. The judges from my county have indicated if these guidelines are put into place, we will have to build new jails and I think they are probably correct. If these guidelines were put into place, we would need more capacity in our State correctional institutions. I think those of us who feel we need stiffer penalties, whether it be these guidelines or whether it be stiffer penalties or mandatory sentences, I think we should realize what we are talking about if we are going to throw them all in jail is more jails, more penitentiaries and more taxpayers' dollars to support a correctional system that I would suspect might be twice as large as our present system in Pennsylvania today.

It is interesting, Mr. President, when the commission was established it was an attempt to establish a broad-based commission of people from various aspects of the criminal justice system. There were people placed on that commission, Senators, Representatives, people from various walks in the criminal justice system. One of them was a representative of the District Attorneys' Association. That happens to be the district attorney from my county. I think he is a district attorney who is rather learned in the law, a district attorney who is a former police superintendent of the second largest city in this Commonwealth, and a district attorney who in representing the district attorneys in this Commonwealth on that commission, and I think he attempted to represent their interests and not just the interests of the people of Allegheny County, he supported these guidelines. The district attorneys' representative on this commission has not said as some district attorneys and assistants have said since then, that the guidelines are not tough enough. He agreed that this is a good first step.

Mr. President, I think the guidelines we have are an opportunity to place into law a good first step. It is a good first step to take away from the courts some of the discretion that all

too long I think they have abused. I think certain jurists have abused it by making it cheaper by the dozen to commit a burglary in a suburban district. That is what we are talking about, not the one burglar, not the one teenage kid who commits one burglary. It is when the burglar who commits a dozen of them or two dozen of them is finally apprehended and brought before the court and gets two years incarceration.

What these guidelines would provide is for much stiffer penalties for that individual, much stiffer penalties, consecutive penalties, if needed, and I think the guidelines, most importantly, would provide a blueprint for those intent on being engaged in criminal activity in this Commonwealth to recognize if they are apprehended, they are almost certain to receive a period of incarceration.

That is not what we have today, Mr. President. I fear if this Senate takes action in going along with the House in rejecting the guidelines, the present system of criminal justice will continue in this Commonwealth. We will talk about mandatory sentencing, but I caution you that when we do talk about mandatory sentencing, just remember who the people were who told you they were against these guidelines.

Mr. President, I submit to the Members of the Senate it will probably be those same people who will tell you they are against mandatory sentencing and this General Assembly come two years hence, will have done nothing to address the crime problem in Pennsylvania.

Mr. President, for that reason I urge the Members to reject this resolution today and let us take an important first step to strengthening Pennsylvania's criminal justice system.

Senator STAPLETON. Mr. President, I will be brief, but I do want to say a few words, particularly the fact that I support House Resolution No. 24 rejecting these sentencing guidelines. In the four counties I represent, I know as a fact the guidelines are totally too lenient, too soft in relation to the crimes involved. In checking numerous cases, my judges are tougher than the guidelines recommended by the Sentencing Commission. Maybe in some sections of this Commonwealth, such as the gentleman from Allegheny, Senator Fisher, just indicated, these guidelines are more severe.

Let me say, Mr. President, these guidelines that are recommended by the Sentencing Commission are not doing any favors for those citizens living out in the rural areas of this Commonwealth. Most of the counties in this State would be taking a step backward by accepting these guidelines. Do not kid anybody, Mr. President, these guidelines are soft, at least in the district I represent. Let my judges alone. They are doing a good job. They are making tough decisions and I certainly support House Resolution No. 24.

Senator SNYDER. Mr. President, I think the fact such able attorneys as the gentleman from Dauphin, Senator Gekas, and the gentleman from Berks, Senator O'Pake, differ on the interpretation and disagreed on the guidelines is some indication of how many arguments we would have between lawyers and between lawyers and courts if these were adopted. I do not think we can reduce to mathematical formulae the variables that exist in human beings and in the crimes they commit.

We already have guidelines in a sense in the minimum and maximum penalties, which we have written into the statutes from time to time. We are always free to change those if we wish.

Mr. President, I think there is another element in this. That is the home rule factor. This all came about, I take it, because in Philadelphia particularly the sentences were felt to be too lenient and upstate, by comparison, they were tough. The trouble with trying to balance that on a Statewide result is that in trying to get somewhere in between we remove from the upstate counties the options which they would want. I am aware the system would give lip service to the fact that judges can vary from that, provided they write their reasons and so on, but here again, I think it is an invitation to appeals of which we have too much already.

Mr. President, in the interest of sticking with home rule in this area, and I think there is much to be said for that, it may result in a disparity of sentences, but it may be that is what the local situation calls for. I recall reading years and years ago in my county what seems almost laughable now, but the big offense that concerned the farmers at least was chicken stealing. The courts zeroed in on that by giving pretty tough sentences and before long it got around that it was not a profitable crime and there was a minimum of it. In a greater or less degree, that still holds.

Mr. President, we have some terrible examples recently in my county of attacking elderly people in their homes and a whole raft of burglaries, both in the city and in the suburbs. I, for one, do not want our judges handicapped by any artificial limitations beyond what we have set down in the law already.

Consequently, Mr. President, I am going to vote for House Resolution No. 24 and I would hope the Sentencing Commission, if it does continue its work, of course, I realize it does under this, might take some whole new approach to the matter.

Much has been said about the Legislature giving a mandate and all that. I think we are realistic enough to know when any problem springs up, some Legislators feel there ought to be a solution, create a commission, the rest of the Legislature goes along with it without giving it any deep, penetrating thought and then when it comes up with a result, the feeling is, well now since we spent this much money on the matter, we better follow what the commission has proposed. I do not follow that reasoning at all. I think if the result is not what we want, we can reject it and go on from there and hunt some different solution.

Mr. President, I would urge a vote for the resolution.

Senator O'PAKE. Mr. President, the gentleman from Allegheny, Senator Fisher, and the gentleman from Lancaster, Senator Snyder, made some very excellent points. Particularly, the gentleman from Allegheny, Senator Fisher, has a great deal of validity in arguing that we ought to face this problem as Legislators. Mr. President, I agree with that wholeheartedly. The problem is, the only way to stop the guidelines from taking effect is to in some way reject them and the only resolution before us is this one.

There is in the Senate Committee on Judiciary and I think in the House Committee on Judiciary, bills that suggest mandatory jail sentencing for certain kinds of offenses. For example, an offense committed with a firearm, a repeat violent offender, an offense committed on a subway system. I would urge in this six month period, if the commission is going to go back to the drawing board, that we as Legislators also direct our efforts and make this a priority because it is the number one concern throughout the country.

The second point made by the gentleman from Allegheny, Senator Fisher, is also very valid and that is in Pittsburgh, perhaps, this would result in more people going to jail. As a matter of fact, Mr. President, in the random sample that the Sentencing Commission uses which it did in 1977, it selected 2,907 cases. By the way, this is the random sample that is used by some who argue that this will put more people in jail. Of those 2,907 cases, Mr. President, 1,131 resulted in jailing, that was thirty-nine per cent. Of that 2,907 cases, 1,390 of them were from Philadelphia and Pittsburgh. The percentage of jail incarceration in Philadelphia and Pittsburgh was only twenty-five per cent. In the rest of the State, the percentage of incarcerated defendants in that sample was fifty-one per cent.

Finally, Mr. President, do guidelines work anywhere? The conclusion of the National Center for State Courts, certainly not a political but a highly professional group, studied eighteen months four jurisdictions where they have sentencing guidelines, they found they were ineffective, having no measurable impact on judicial sentencing behavior. Those jurisdictions were Philadelphia; Denver, Colorado; Cooke County, which includes Chicago, Illinois; and Essex County, New Jersey.

Mr. President, I agree, we ought to face the problem as Legislators. We should not wait another six months, but this is the only resolution before us, the only way we can reject these guidelines which would look like we are dealing with the problem when we really are not.

Senator GEKAS. Mr. President, there are so many things I want to rebut here, but I will leave it at the last thing that the gentleman from Berks, Senator O'Pake, said and we will get on with the business of the day.

The gentleman stated about the National Center's position about the studies of the guidelines of Philadelphia and Denver. Part of that same report says that the second caveat is the lack of impact evident in Denver and Philadelphia does not imply that sentencing guidelines as such are inherently incapable of accomplishing their purposes. The guidelines evaluated in this report were adopted voluntarily by local judiciaries. Consequently, they lack the force and effect of law. Guidelines that are promulgated by an Administrative Body pursuant to legislative mandate or by a State Supreme Court under its rulemaking authority and backed by legal remedies for noncompliance might have significant effects on the exercise of judicial sentencing discretion. That is what we are all about, Mr. President.

**SENATOR ZEMPRELLI TO VOTE
FOR SENATOR SINGEL**

Senator ZEMPRELLI. Mr. President, before commencing a roll call, Senator Singel has left the floor on legislative business and I would like to be able to vote him on the issue. It is a temporary leave.

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

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

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

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—34

Andrezeski	Holl	Murray	Shaffer
Bell	Hopper	O'Connell	Singel
Bodack	Howard	O'Pake	Smith
Corman	Jubelirer	Reibman	Snyder
Early	Kusse	Rhoades	Stapleton
Greenleaf	Loeper	Romanelli	Stauffer
Hager	Manbeck	Ross	Stout
Helfrick	Mellow	Scanlon	Tilghman
Hess	Moore		

NAYS—10

Fisher	Lloyd	Pecora	Street
Gekas	McKinney	Price	Zemprelli
Kelley	Messinger		

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

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

PERMISSION TO ADDRESS SENATE

Senator O'PAKE asked and obtained unanimous consent to address the Senate.

Senator O'PAKE. Mr. President, while I was in my office I missed the vote on Senate Bill No. 422 earlier today. I would like the record to show that had I been on the floor, I would have voted in the affirmative.

The PRESIDENT. The gentleman's remarks will be spread upon the record.

PERMISSION TO ADDRESS SENATE

Senator ROMANELLI. Mr. President, I was in my office on business at the time the vote was taken on Senate Bill No. 422. Had I been on the floor, I would have voted in the affirmative.

The PRESIDENT. The gentleman's remarks will be spread upon the record.

PERMISSION TO ADDRESS SENATE

Senator LLOYD. Mr. President, during the vote on Senate Bill No. 422, I was in the anteroom opposite the Senate floor and was unable to come to the Senate floor to vote. Had I been here I would have voted "yes" on Senate Bill No. 422.

The PRESIDENT. The gentleman's remarks will be spread upon the record.

RECESS

Senator JUBELIRER. Mr. President, I request a recess of the Senate until 1:30 p.m., for the purpose of holding a Republican caucus and a Democratic caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:30 p.m., Eastern Standard Time.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

HB 32 CALLED UP OUT OF ORDER

HB 32 (Pr. No. 1178) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER.

**BILL ON THIRD CONSIDERATION,
DEFEATED ON FINAL PASSAGE**

HB 32 (Pr. No. 1178) — 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 PRICE. Mr. President, House Bill No. 32 is very important to the City of Philadelphia and would put that city in the same position as every other county in the State by amending a 1917 law relating to the issuance of bonds.

Quite simply, Mr. President, the bill would permit the sale of bonds at over or less than par value. As I say, an authority which has not been permitted in that city.

Mr. President, there is a bond issue proposed very, very soon, in fact it should be advertised by the middle of April and hopefully sold around the middle of May, for \$76 million which relates to the capital budget financing of projects in the city. These kinds of projects are improvements to the ports, police stations, the free library, transit facilities, streets, highways, all kinds of municipal improvements and the authority, if granted by this bill after its enactment into law, hopefully would result in a cost saving according to the estimate of the city's finance director, of about \$500,000 in interest at present value.

Mr. President, because of its importance, because of the fact that it would put that city into parity with every other jurisdiction in the Commonwealth, I would hope that everyone present here today would be able to support it.

And the question recurring,
Shall the bill pass finally?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—17

Andrezeski	Mellow	Price	Singel
Bodack	Messinger	Reibman	Smith
Early	Murray	Ross	Stout
Lloyd	O'Pake	Scanlon	Zemprelli
McKinney			

NAYS—27

Bell	Hess	Loeper	Shaffer
Corman	Holl	Manbeck	Snyder
Fisher	Hopper	Moore	Stapleton
Gekas	Howard	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Street
Hager	Kelley	Rhoades	Tilghman
Helfrick	Kusse	Romanelli	

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

RECONSIDERATION OF HB 32

BILL OVER IN ORDER ON FINAL PASSAGE

HB 32 (Pr. No. 1178) — Senator PRICE. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 32, Printer's No. 1178, just failed of final passage.

The motion was agreed to.

And the question recurring,
Shall the bill pass finally?

Senator PRICE. Mr. President, I request that House Bill No. 32 go over in its order and appear on the Final Passage Calendar.

The PRESIDENT. There being no objection, the bill will be placed on the Final Passage Calendar.

SENATOR JUBELIRER TO VOTE FOR SENATOR GEKAS

Senator JUBELIRER. Mr. President, Senator Gekas was just called off the floor for the purposes of meeting with various concerned media and other people on the sentencing guidelines. He will be off the floor briefly and I will be voting him until he returns.

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

SENATOR ZEMPRELLI TO VOTE FOR SENATOR STOUT

Senator ZEMPRELLI. Mr. President, Senator Stout was here earlier. He had a legislative commitment at 1:30 this afternoon and it is doubtful that he will be back for the rest of the Session. For that reason, Mr. President, I would ask for legislative leave on behalf of Senator Stout.

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

CONSIDERATION OF CALENDAR RESUMED

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

SB 5 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 405 (Pr. No. 672) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 405.

On the question,

Will the Senate agree to the motion?

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

YEAS—41

Andrezeski	Hopper	Moore	Scanlon
Bell	Howard	Murray	Shaffer
Corman	Jubelirer	O'Connell	Singel
Early	Kusse	O'Pake	Smith
Fisher	Lloyd	Pecora	Snyder
Gekas	Loeper	Price	Stapleton
Greenleaf	McKinney	Reibman	Stauffer
Hager	Manbeck	Rhoades	Stout
Helfrick	Mellow	Romanelli	Street
Hess	Messinger	Ross	Tilghman
Holl			

NAYS—3

Bodack	Kelley	Zemprelli
--------	--------	-----------

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 OVER IN ORDER

HB 686 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER TEMPORARILY

SB 331 — Without objection, the bill was passed over in its order temporarily at the request of Senator JUBELIRER.

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 19 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 20 (Pr. No. 374) — 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—44

Table with 4 columns of names: Andrezeski, Bell, Bodack, Corman, Early, Fisher, Gekas, Greenleaf, Hager, Helfrick, Hess, Holl, Hopper, Howard, Jubelirer, Kelley, Kusse, Lloyd, Loeper, McKinney, Manbeck, Mellow, Messinger, Moore, Murray, O'Connell, O'Pake, Pecora, Price, Reibman, Rhoades, Romanelli, Ross, Scanlon, Shaffer, Singel, Smith, Snyder, Stapleton, Stauffer, Stout, Street, Tilghman, Zemprelli

NAYS—0

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

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

BILLS OVER IN ORDER

HB 21, 22, 23 and 33 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 34 (Pr. No. 1067) — 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—44

Table with 4 columns of names: Andrezeski, Bell, Bodack, Corman, Early, Fisher, Gekas, Greenleaf, Hager, Helfrick, Hess, Holl, Hopper, Howard, Jubelirer, Kelley, Kusse, Lloyd, Loeper, McKinney, Manbeck, Mellow, Messinger, Moore, Murray, O'Connell, O'Pake, Pecora, Price, Reibman, Rhoades, Romanelli, Ross, Scanlon, Shaffer, Singel, Smith, Snyder, Stapleton, Stauffer, Stout, Street, Tilghman, Zemprelli

NAYS—0

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

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

HB 35 (Pr. No. 1068) — 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—44

Table with 4 columns of names: Andrezeski, Bell, Bodack, Corman, Early, Fisher, Gekas, Greenleaf, Hager, Helfrick, Hess, Holl, Hopper, Howard, Jubelirer, Kelley, Kusse, Lloyd, Loeper, McKinney, Manbeck, Mellow, Messinger, Moore, Murray, O'Connell, O'Pake, Pecora, Price, Reibman, Rhoades, Romanelli, Ross, Scanlon, Shaffer, Singel, Smith, Snyder, Stapleton, Stauffer, Stout, Street, Tilghman, Zemprelli

NAYS—0

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

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

HB 36 (Pr. No. 1069) — 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—44

Table with 4 columns of names: Andrezeski, Bell, Bodack, Corman, Early, Fisher, Gekas, Greenleaf, Hager, Helfrick, Hess, Holl, Hopper, Howard, Jubelirer, Kelley, Kusse, Lloyd, Loeper, McKinney, Manbeck, Mellow, Messinger, Moore, Murray, O'Connell, O'Pake, Pecora, Price, Reibman, Rhoades, Romanelli, Ross, Scanlon, Shaffer, Singel, Smith, Snyder, Stapleton, Stauffer, Stout, Street, Tilghman, Zemprelli

NAYS—0

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

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

HB 37 (Pr. No. 1070) — 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—44

Andrezeski	Holl	Messinger	Scanlon
Bell	Hopper	Moore	Shaffer
Bodack	Howard	Murray	Singel
Corman	Jubelirer	O'Connell	Smith
Early	Kelley	O'Pake	Snyder
Fisher	Kusse	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	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.

HB 38 (Pr. No. 1179) — 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—45

Andrezeski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

NAYS—0

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

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

HB 39 (Pr. No. 1072) — 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—45

Andrezeski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

NAYS—0

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

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

HB 40 (Pr. No. 1073) — 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—45

Andrezeski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

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.

SB 105 (Pr. No. 105) — 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—45

Andrezski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 168 (Pr. No. 710) — 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—42

Andrezski	Hopper	Moore	Shaffer
Bell	Howard	Murray	Singel
Bodack	Jubelirer	O'Connell	Smith
Corman	Kusse	O'Pake	Snyder
Early	Lewis	Pecora	Stapleton
Gekas	Lloyd	Reibman	Stauffer
Greenleaf	Loeper	Rhoades	Stout
Hager	McKinney	Romanelli	Street
Helfrick	Manbeck	Ross	Tilghman
Hess	Mellow	Scanlon	Zemprelli
Holl	Messinger		

NAYS—3

Fisher Kelley Price

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 276 (Pr. No. 609) — 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—45

Andrezski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

NAYS—0

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

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

BILL OVER IN ORDER

SB 404 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL RECOMMITTED

SB 443 (Pr. No. 449) — Considered the third time,

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

Senator JUBELIRER. Mr. President, I move that Senate Bill No. 443 be recommitted to the Committee on Local Government.

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

**SENATOR JUBELIRER TO VOTE
FOR SENATOR CORMAN**

Senator JUBELIRER. Mr. President, Senator Corman has just been called to his office on legislative business and I request a leave of absence for him for the period of time he is in his office.

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

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

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

Senator JUBELIRER. I will, Mr. President.

Senator ZEMPRELLI. Mr. President, we had understood at the markup of the Calendar that Senate Bill No. 443 was to go over in its order. I understand that the motion has been made to recommit. I wonder if the Majority Leader would advise the Senate as to why there has been a change from the time the Calendar was marked until now?

Senator JUBELIRER. Mr. President, I thought the Minority Leader's side had been notified of the change. The reason for it is very clear. House Bill No. 32, does precisely what Senate Bill No. 443 purports to do and we see no reason why it should remain on the Calendar while House Bill No. 32 is there as a vehicle.

Senator ZEMPRELLI. Mr. President, the one basic distinction is that Senate Bill No. 443 is viable and House Bill No. 32 in its present status is semi-viable as having bit the dust once. My problem is perhaps why we had the Calendar marked as over and understanding now what the Majority Leader has said, I am sure we have no objection to the recommitment.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

The PRESIDENT. Senate Bill No. 443 is recommitted to the Committee on Local Government.

**REPORT FROM COMMITTEE ON
RULES AND EXECUTIVE NOMINATIONS**

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

MEMBER OF THE PENNSYLVANIA
CANCER CONTROL, PREVENTION
AND RESEARCH ADVISORY BOARD

March 16, 1981.

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 Darwin C. Pomeroy (Consumer), 3 First Street, Port Royal 17082, Juniata County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of three years and until his successor is appointed and qualified, pursuant to Act 224, approved December 18, 1980.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF DANVILLE STATE HOSPITAL

March 13, 1981.

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 Jesse B. Bell, 221 Moury Street, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January, 1987, and until his successor is appointed and qualified, vice John D. Youngman, Sr., Esquire, Williamsport, resigned.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF FARVIEW STATE HOSPITAL

March 16, 1981.

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 Dreater, 722 Hill Street, Mayfield 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 1985, and until his successor is appointed and qualified, vice Mrs. Marie Margaret McHugh, Carbondale, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

March 16, 1981.

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 Rodman K. Fritzinger, 654 Dorothy Avenue, Fountain Hill, Bethlehem 18015, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January, 1985, and until his successor is appointed and qualified, vice The Reverend Merrill Q. Ressler, Shartlesville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE BOARD OF TRUSTEES
OF LAURELTON CENTER

March 13, 1981.

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 Edythe Bossert, R. D. 1, Box 26, Beech Creek 16822, Clinton County, Twenty-third Senatorial District, for appointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1983, and until his successor is appointed and qualified, vice Joan Allen, Lewisburg, resigned.

DICK THORNBURGH.

MEMBER OF THE MUNICIPAL
POLICE OFFICERS' EDUCATION
AND TRAINING COMMISSION

March 13, 1981.

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 Mitchell (Non-commissioned Police Officer), 1291 Scott Street, Wilkes-Barre 18705, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of The Municipal Police Officers' Education and Training Commission, to serve until February 21, 1984, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE ADAMS COUNTY
BOARD OF ASSISTANCE

March 13, 1981.

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 Frank E. Basehoar, Sr. (Republican), 59 Patrick Avenue, Littlestown 17340, Adams County, Thirty-third Senatorial District, for appointment as a member of the Adams County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Billy Scott, Biglerville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE ADAMS COUNTY
BOARD OF ASSISTANCE

March 13, 1981.

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 Olmer Spence (Republican), R. D. 2, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the Adams County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

March 3, 1981.

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 A. Parker (Republican), 6721 Walnut Creek Drive, Fairview 16415, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 1981, and until his successor is duly appointed and qualified, vice Ellen Curry, Erie, whose term expired.

DICK THORNBURGH.

MEMBER OF THE SOMERSET COUNTY
BOARD OF ASSISTANCE

March 3, 1981.

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 Martha B. Saler (Republican), R. D. 3, Box 53, Somerset 15501, Somerset County, Thirty-second Senatorial District, for appointment as a member of the Somerset County Board of Assistance, to serve until December 31, 1983, and until her successor is duly appointed and qualified, vice Nathan Rascona, Somerset, whose term expired.

DICK THORNBURGH.

DISTRICT JUSTICE

April 1, 1981.

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 William D. Martin, 2483 Summit Street, Bethel Park 15102, Allegheny County, Thirty-seventh Senatorial District, for appointment as District Justice in and for the County of Allegheny, Class 02, District 20, to serve until the first Monday of January, 1982, vice John Kumer, Bethel Park, suspended.

DICK THORNBURGH.

NOMINATIONS LAID ON THE TABLE

Senator LOEPER. Mr. President, I ask that the nominations be laid on the table.

The PRESIDENT. Without objection, the nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator LOEPER,

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 LOEPER. Mr. President, I call from the table for consideration certain nominations previously reported from committee and laid on the table.

The Clerk read the nominations as follows:

MEMBER OF THE STATE ART COMMISSION

March 6, 1981.

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 Alvin Holm, 123 North Lambert Street, Philadelphia 19103, Philadelphia County, Second Senatorial District, for appointment as a member of the State Art Commission, to serve until the third Tuesday of January, 1983, and until his successor shall have been appointed and qualified, vice Norman N. Rice, Philadelphia, whose term expired.

DICK THORNBURGH.

MEMBER OF THE STATE CONSERVATION COMMISSION

March 12, 1981.

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 William Lange (Urban Member), 400 Fairview Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until November 7, 1984, and until his successor is appointed and qualified.

DICK THORNBURGH.

MEMBER OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

February 27, 1981.

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 Anne Pascasio, Ph.D., 109 Markham Drive, Mount Lebanon 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Medical Education and Licensure, to serve for a term of four years, and until her successor shall have been appointed and qualified, vice Nathan Hershey, Esquire, Pittsburgh, resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—44

Andrezeski	Hopper	Messinger	Scanlon
Bodack	Howard	Moore	Shaffer
Corman	Jubelirer	Murray	Singel
Early	Kelley	O'Connell	Smith
Fisher	Kusse	O'Pake	Snyder
Gekas	Lewis	Pecora	Stapleton
Greenleaf	Lloyd	Price	Stauffer
Hager	Loeper	Reibman	Stout
Helfrick	McKinney	Rhoades	Street
Hess	Manbeck	Romanelli	Tilghman
Holl	Mellow	Ross	Zemprelli

NAYS—1

Bell

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

Ordered, That the Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I call from the table for consideration the nomination previously reported from committee and laid on the table for James G. Matthews, as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

The Clerk read the nomination as follows:

MEMBER OF THE STATE BOARD OF MOTOR VEHICLE MANUFACTURERS, DEALERS AND SALESMEN

March 10, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James G. Matthews (New Car Dealer), 31 Wistar Road, Paoli 19301, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, to serve until March 7, 1983, and until his successor is appointed and qualified, vice James Hamilton, Monongahela, whose term expired.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nomination?

Senator ZEMPRELLI. Mr. President, I would remind the Members of the Democratic caucus that we had discussed in full the advisability of consenting to the nomination of James G. Matthews, as a member of the Motor Vehicle Manufacturers, Dealers and Salesmen Board. I would further remind the Members of the Democratic caucus, as some time has passed since the time we did discuss this nomination, that it was the consensus of the caucus, the Democratic caucus at any rate, they should not join in the advice and consent of this particular candidate. I am, therefore, asking for a negative vote on this nomination.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—25

Bell	Hess	Loeper	Rhoades
Corman	Holl	Manbeck	Shaffer
Fisher	Hopper	Moore	Snyder
Gekas	Howard	O'Connell	Stauffer
Greenleaf	Jubelirer	Pecora	Street
Hager	Kusse	Price	Tilghman
Helfrick			

NAYS—20

Andrezeski	Lloyd	O'Pake	Singel
Bodack	McKinney	Reibman	Smith
Early	Mellow	Romanelli	Stapleton
Kelley	Messinger	Ross	Stout

Lewis Murray Scanlon Zemprelli

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

Ordered, That the Governor be informed accordingly.

POINT OF ORDER

RE CONSTITUTIONAL MAJORITY

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

The PRESIDENT. The gentleman from Allegheny, Senator Zemprelli, will state it.

Senator ZEMPRELLI. Mr. President, maybe my inquiry point of information is prospective in terms of anticipation as to the composition of the Body in the very near future and I am deliberately prolonging what I am saying so the Chair may have some advice as to where I am coming from. Is it the Chair's determination that twenty-five Members constitutes a majority of the Body as it is now constituted, there having been an election but not a swearing-in of a Member?

The PRESIDENT. The Chair has no reason to change its previous rulings that twenty-five votes constitutes a majority.

Senator ZEMPRELLI. Mr. President, has the election of the Senator from the Fiftieth District in any way influenced the Chair's judgment as to whether or not a majority now exists as to forty-eight or forty-nine Members constituting the Body as a whole?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The PRESIDENT. If the Chair understands the question of the Minority Leader, he is questioning anticipating the swearing-in of a new Senator?

Senator ZEMPRELLI. Mr. President, my question is actually two questions. The first is, would the Chair advise the Minority Leader and the Members of the Senate as to how many Members there are of the Senate as it is presently constituted?

The PRESIDENT. Will the gentleman restate his question?

Senator ZEMPRELLI. Mr. President, the question is, as the Senate is now constituted, will the Chair advise us as to how many Members have been elected to the Senate of Pennsylvania as of this moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The PRESIDENT. In response to the gentleman's question, there are forty-eight Members of the Senate currently seated. As to how many Senators there are elected, that is a determination made by the Members of the Senate as a Body, as a whole, and not by the Chair.

NOMINATIONS TAKEN FROM THE TABLE

Senator LOEPER. Mr. President, I call from the table for consideration certain nominations previously reported from committee and laid on the table.

The Clerk read the nominations as follows:

MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

March 10, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Cassano (Republican), 306 West Marshall Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Miss Mercedes F. Greer, West Chester, whose term expired.

DICK THORNBURGH.

MEMBER OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

March 12, 1981.

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 Roy O. Halye (Republican), 272 McGuire Park Drive, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Columbia County Board of Assistance, to serve until December 31, 1983, and until his successor is duly appointed and qualified, vice Angelo P. Scheno, Bloomsburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

March 5, 1981.

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 Bertil L. Anderson (Republican), 203 Columbus Street, St. Marys 15857, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Barbara Elaine Dauber, Johnsonburg, whose term expired.

DICK THORNBURGH.

MEMBER OF THE JEFFERSON COUNTY BOARD OF ASSISTANCE

March 5, 1981.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Manners (Republican), 1032 Main Street, Brockway 15824, Jefferson County, Forty-first Senatorial District, for appointment as a member of the Jefferson County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Samuel Early, Reynoldsville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE MONTOUR COUNTY
BOARD OF ASSISTANCE

March 3, 1981.

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 Grace B. Reinaker (Republican), 1314 Bloom Road, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Montour County Board of Assistance, to serve until December 31, 1982, and until her successor is duly appointed and qualified, vice Matilda Kleha, Danville, whose term expired.

DICK THORNBURGH.

MEMBER OF THE VENANGO COUNTY
BOARD OF ASSISTANCE

March 3, 1981.

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 Daniel H. Duncan (Republican), 231 Maple Avenue, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Venango County Board of Assistance, to serve until December 31, 1982, and until his successor is duly appointed and qualified, vice Max M. Serafin, Oil City, resigned.

DICK THORNBURGH.

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—45

Andrezeski	Hopper	Messinger	Scanlon
Bell	Howard	Moore	Shaffer
Bodack	Jubelirer	Murray	Singel
Corman	Kelley	O'Connell	Smith
Early	Kusse	O'Pake	Snyder
Fisher	Lewis	Pecora	Stapleton
Gekas	Lloyd	Price	Stauffer
Greenleaf	Loeper	Reibman	Stout
Hager	McKinney	Rhoades	Street
Helfrick	Manbeck	Romanelli	Tilghman
Hess	Mellow	Ross	Zemprelli
Holl			

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.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Senator LOEPER. Mr. President, I ask unanimous consent for the immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

Senator ZEMPRELLI. May we be at ease for just one moment, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator KELLEY. Mr. President, I object to consideration of any matters reported from committee today.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 12 and 13 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 14 (Pr. No. 14) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL OVER IN ORDER

SB 16 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 108 (Pr. No. 619) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION AMENDED

SB 114 (Pr. No. 114) — The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

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

Amend Title, page 1, line 25, by removing the period after "Turnpike" and inserting: and for access and exit by emergency vehicles.

Amend Sec. 1, page 2, line 1, by striking out "a section" and inserting: sections

Amend Sec. 1 (Sec. 5.2), page 3, line 5, by striking out "(f) The panel may assure that emergency" and inserting: Section 5.3. Emergency

Amend Sec. 1 (Sec. 5.2), page 3, line 10, by striking out "that"

Amend Sec. 1 (Sec. 5.2), page 3, line 14, by inserting after "function.": The commission shall notify all employees of the commission who are assigned duties at toll booths of the provisions of this section.

On the question,

Will the Senate agree to the amendments?

Senator GREENLEAF. Mr. President, these are basically technical amendments that strengthen the language in the last section of the bill dealing with access of emergency vehicles to the Pennsylvania Turnpike.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

Ordered, To be transcribed for a third consideration.

BILL ON SECOND CONSIDERATION

SB 124 (Pr. No. 656) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

HB 124, SB 156, 161, 185 and HB 261 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 314 (Pr. No. 316) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 316, HB 326 and SB 330 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 343 (Pr. No. 346) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 346, 356, HB 376, SB 388, 399, 425, 433, 456, 458, HB 472, SB 503, 512, 515, 521, HB 523 and 524 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

SB 568 (Pr. No. 580) and HB 570 (Pr. No. 598) — Considered the second time and agreed to,

Ordered, To be transcribed for a third consideration.

BILLS OVER IN ORDER

SB 575, HB 585 and SB 601 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

SENATE CONCURRENT RESOLUTION, SERIAL NO. 211, CALLED UP

Senator JUBELIRER, without objection, called up from page 12 of the Calendar, Senate Concurrent Resolution, **Serial No. 211**, entitled:

Urging General Assembly reject sentencing guidelines adopted by the Pennsylvania Commission on Sentencing.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL NO. 211, RECOMMITTED

Senator JUBELIRER. Mr. President, I move that Senate Concurrent Resolution, Serial No. 211, be recommitted to the Committee on Judiciary.

The motion was agreed to.

The PRESIDENT. Senate Concurrent Resolution, Serial No. 211, is recommitted to the Committee on Judiciary.

SB 331 CALLED UP

SB 331 (Pr. No. 334) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Final Passage Calendar, by Senator JUBELIRER.

BILL OVER IN ORDER

SB 331 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

RECESS

Senator JUBELIRER. Mr. President, we have the need to reconvene a recessed meeting of the Committee on Rules and Executive Nominations immediately upon adjournment here today.

Mr. President, may I amend that to say immediately at the rear of the Chamber in the Rules Committee room. I ask the Members of the Rules Committee to report to the Rules Committee room herewith.

The PRESIDENT. For the purpose of a 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.

UNFINISHED BUSINESS

SENATE RESOLUTION

SPECIAL SENATE TASK FORCE INVESTIGATE PROFIT AND NONPROFIT CORPORATIONS PROVIDING RETIREMENT HOMES AND RETIREMENT COMMUNITIES

Senators HOLL, O'PAKE, GREENLEAF, PRICE and LEWIS offered the following resolution (**Serial No. 37**), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, April 8, 1981.

RESOLVED, That the President pro tempore of the Senate appoint a task force of ten Senators, six from the Majority Party and four from the Minority Party to investigate profit or nonprofit corporations or any other entity providing retirement homes and retirement communities; and be it further

RESOLVED, That the task force concentrate its investigation in the following areas:

- (1) Full financial disclosure to residents and investors.
- (2) Escrowing of funds with set-aside provisions.
- (3) Insurance in all its aspects.
- (4) Interlocking control, management and relationship.
- (5) Matters relating to life care as may be determined by the task force; and be it further

RESOLVED, That the task force take testimony from residents, investors, organizations and associations requesting to be heard. It may hold hearings, take testimony, and make its investigations at such places as it deems necessary. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the task force and to produce such books, papers, records and documents as the task force deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who willfully neglects or refuses to testify before the task force or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the task force shall have power to administer oaths and affirmations to witnesses appearing before the task force; and be it further

RESOLVED, That within 30 calendar days after the task force has made its report, the chairman of the task force shall cause a record of all expenses incurred by the committee, or the members thereof, which are payable at Commonwealth expense, to be filed with the President pro tempore of the Senate and the President pro tempore shall cause the same to be entered in the journal thereof. No expenses incurred by the task force or any member thereof shall be reimbursable by the Chief Clerk unless such expense shall first have been included as an expense item in the record heretofore required; and be it further

RESOLVED, That the task force submit its report to the Senate as soon as possible.

SENATE CONCURRENT RESOLUTION

URGING CONGRESS ADOPT THE PRESIDENT'S ECONOMIC RECOVERY PLAN

Senators GREENLEAF and HELFRICK offered the following resolution (Serial No. 213), which was read and referred to the Committee on Rules and Executive Nominations:

In the Senate, April 8, 1981.

WHEREAS, the Federal Government unnecessarily controls state and local priorities in the areas of health, education, human services, transportation and energy development; and

WHEREAS, One stated intent of the President's Economic Recovery Plan is "to enable states to plan and coordinate their own service programs, establish their own priorities and exercise effective control over the resources provided to localities;" and

WHEREAS, The President's proposed Economic Recovery Plan consolidates almost 100 categorical grants into block grants, thereby enhancing the states' ability, discretion and expertise vis-a-vis public aid programs and returns primary responsibility for Medicaid to the states; and

WHEREAS, The President's fiscal year 1982 budget plan specifically protects the "safety net" of public aid programs for the truly needy; and

WHEREAS, The President's Economic Recovery Plan is consistent with fundamental principles of Federalism, including the recognition that states have all rights and powers not granted by the United States Constitution to the Federal Government; and

WHEREAS, The President has pledged to restore the states' right to own, lease and develop publicly-owned land; and

WHEREAS, The Reagan Administration has pledged to continue to consult and heed state legislators on matters of budgetary and regulatory reform; and

WHEREAS, The General Assembly of Pennsylvania shares the President's concern about the combined effects of rising unemployment, soaring inflation and low productivity; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly supports the Administration's efforts to restore Federalism, employment, productivity and the sovereign right of states to initiate, develop and execute their own growth and public aid policies; and be it further

RESOLVED, That the General Assembly urges the United States Congress to adopt the President's Economic Recovery Plan; and be it further

RESOLVED, That the General Assembly pledges its assistance to the President and to the Congress to insure that the President's Economic Recovery Plan is enacted; and be it further

RESOLVED, That copies of this resolution be delivered to the President of the United States and each member of the United States Congress.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Cephas H. Rudolph, Mr. and Mrs. Daniel Benning and to Mr. and Mrs. Albert W. Magistri by Senator Bodack:

Congratulations of the Senate were extended to Juanita A. Turner by Senator Gekas.

Congratulations of the Senate were extended to Andrew W. Van Kleunen by Senators Manbeck and Gekas.

Congratulations of the Senate were extended to Frank Silva by Senator Mellow.

SENATE COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION, SERIAL NO. 32

The PRESIDENT. The Chair wishes to announce the appointment by the President pro tempore of the following Senators to serve as members of the committee created pursuant to Senate Resolution, Serial No. 32:

The gentleman from Montgomery, Senator Holl; the gentleman from Montgomery, Senator Greenleaf; the gentleman from Philadelphia, Senator Price; the gentleman from Berks, Senator O'Pake; and the gentleman from Bucks, Senator Lewis.

BILLS SIGNED

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

SB 405, HB 29 and 89.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, APRIL 9, 1981

10:00 A.M.	Senate Judiciary Subcommittee to study Senate Bill No. 128 (Public Hearing)	Room 1, Allegheny Co. Court House, Forbes Ave. and Grant Street, Pittsburgh, PA
------------	---	--

WEDNESDAY, APRIL 15, 1981

9:30 A.M.	LAW AND JUSTICE (Public Hearing on Senate Bill No. 597 and to consider Senate Bills No. 277 and 484)	Senate Majority Caucus Room
-----------	--	--------------------------------

TUESDAY, APRIL 21, 1981

1:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 441, 600 and 645)	Room 460, 4th Floor Conference Rm., North Wing
-----------	--	---

TUESDAY, APRIL 28, 1981

10:30 A.M.	LEGISLATIVE REAPPOINTMENT COMMISSION	Senate Majority Caucus Room
------------	--------------------------------------	--------------------------------

MONDAY, MAY 4, 1981

1:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 116, 141, 170 and 403)	Room 460, 4th Floor Conference Rm., North Wing
-----------	---	---

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 21, 1981, at 2:00 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The reason for the change from the normal 3:00 p.m. to 2:00 p.m., if I may, Mr. President, is to announce to the Members and to all who are interested that the newest Member of the Senate, Senator Roy Wilt, will be sworn in at that time.

The motion was agreed to.

The Senate adjourned at 3:15 p.m., Eastern Standard Time.