

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MAY 4, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 36

SENATE

TUESDAY, May 4, 1982.

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

The PRESIDING OFFICER (William J. Moore) in the Chair.

PRAYER

The Chaplain, the Reverend Mr. JOHN WHITCOMB, Pastor of St. Mark's Evangelical Lutheran Church, West Fairview, offered the following prayer:

Let us pray.

Almighty Father, of Whom is all rule and authority in this world, we come before You in this Chamber with prayer.

We are grateful, Lord, for the good government which You have ordained to rule in this land. You have dealt favorably with our State and its people. Bless, we implore Thee, all those who sit in this Legislature with wisdom and understanding, with love for righteousness and peace and with a real concern for those constituents represented here.

We ask this day a special petition upon both parties that each be given patience and thoughtful consideration of the other and that in a cooperative spirit the work that affects Your people may be carried out in fairness and equity.

Bless now with Your abiding presence the work to be accomplished this afternoon that in all goodness and honesty our State and its people may prosper and live in common spirit.

For this, we pray. Amen.

The PRESIDING OFFICER. The Chair thanks the Reverend Mr. Whitcomb, who is the guest this week of Senator Hopper.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 3, 1982.

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 HAGER AND SENATOR HELFRICK**

Senator JUBELIRER. Mr. President, I request a legislative leave of absence for Senator Hager and Senator Helfrick who are on legislative business and possibly may be here for today's Session at a later time, although I cannot say specifically at what time, but since Senator Kelley is not on the floor, I am not going to.

The PRESIDING OFFICER. The Chair hears no objection and the leaves are granted.

**SENATOR SCANLON TO VOTE FOR
SENATOR HANKINS, SENATOR
ANDREZESKI, SENATOR O'PAKE AND
SENATOR FUMO**

Senator SCANLON. Mr. President, I request a legislative leave of absence for today's Session for Senator Hankins and Senator Andrezeski, and a temporary legislative leave of absence for Senator O'Pake and Senator Fumo.

The PRESIDING OFFICER. The Chair hears no objection and the leaves are granted.

**LEGISLATIVE LEAVE REQUESTED FOR
MEMBERS ATTENDING MEETING OF THE
COMMITTEE ON JUDICIARY**

Senator JUBELIRER. Mr. President, I am reminded that the Committee on Judiciary is still proceeding with its business at hand and I suppose we should request legislative leaves for the Members of that committee consisting of Senator Snyder, who may have left that meeting and may be here, Senator Fisher, Senator Gekas, and Senator Greenleaf. I believe they are still in attendance, and at least so long as they are at that meeting we would ask legislative leave for them.

The PRESIDING OFFICER. The Chair hears no objection and the leaves are granted.

LEAVE OF ABSENCE

Senator JUBELIRER asked and obtained temporary leave of absence for Senator Street, for personal reasons.

HOUSE MESSAGE**HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

May 4, 1982

- HB 2264** — Committee on Banking and Insurance.
HB 548 — Committee on Judiciary.
HB 2265 — Committee on Local Government.

GENERAL COMMUNICATIONS**BILL INTRODUCED AND REFERRED**

The PRESIDING OFFICER laid before the Senate the following Senate Bill numbered, entitled and referred as follows, which was read by the Clerk:

May 3, 1982

Senators SNYDER and SCANLON presented to the Chair **SB 1427**, entitled:

An Act amending the act of November 30, 1976 (P. L. 1207, No. 265), entitled "Emergency Medical Services Systems Act," extending the expiration date of the act.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 3, 1982.

RESOLUTION INTRODUCED AND REFERRED

The PRESIDING OFFICER laid before the Senate the following Senate Resolution numbered, entitled and referred as follows, which was read by the Clerk:

May 4, 1982

SENATE RESOLUTION**SPECIAL SENATE COMMITTEE INVESTIGATE LICENSING FUNCTIONS AND PROCEDURES OF THE STATE HORSE RACING COMMISSION**

Senator KELLEY offered the following resolution (**Serial No. 91**), which was read and referred to the Committee on Agriculture and Rural Affairs:

In the Senate, May 4, 1982.

WHEREAS, The authority to issue a horse racing license in the Commonwealth is a specific function of the State Horse Racing Commission; and

WHEREAS, The commission having issued a temporary license to Lakelands Racing Association Inc., on the 17th day of December, 1981; and

WHEREAS, Said temporary license stipulated condition that had to be met by Lakeland Racing Association Inc. before Lakelands would be considered for a permanent annual license; and

WHEREAS, The state horse Racing Commission granted a permanent annual license to Lakeland Racing Association Inc. on the 25th day of February, 1982 without public documentation of compliance by Lakelands with the above mentioned stipulation of the temporary license; and

WHEREAS, Information obtained through the Senate staff and the news media have raised sufficient questions regarding the licensing procedures of the commission; therefore be it

RESOLVED, That the President pro tempore appoint a special Senate committee consisting of five members, 3 of whom shall be of the Majority Party and 2 from the Minority Party, to conduct an official investigation into the granting of a racing license to Lakelands Racing Association Inc. specifically, and the licensing function and procedures of the State Horse Racing Commission generally.

REPORTS FROM COMMITTEES

Senator KUSSE, from the Committee on Labor and Industry, reported, as committed, **HB 865**; as amended, **SB 1050**.

Senator GREENLEAF, from the Committee on Law and Justice, reported, as amended, **SB 1375**, **HB 178** and **1268**.

SENATE CONCURRENT RESOLUTION**RECESS ADJOURNMENT**

Senator PECORA offered the following resolution, which was read, considered and adopted:

In the Senate, May 4, 1982.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 24, 1982 unless sooner recalled by the President Pro Tempore and when the House of Representatives adjourns this week it reconvene on Monday, May 24, 1982 unless sooner recalled by the Speaker of the House of Representatives.

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

SB 1091 AND SB 1243 TAKEN FROM THE TABLE

SB 1091 (Pr. No. 1702) and **SB 1243 (Pr. No. 1525)** — Senator JUBELIRER. Mr. President, I move that Senate Bill No. 1091, Printer's No. 1702, and Senate Bill No. 1243, Printer's No. 1525, be taken from the table.

The motion was agreed to.

The PRESIDING OFFICER. The bills will be placed on the Calendar.

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

CALENDAR**SPECIAL ORDER OF BUSINESS****SB 1198 CALLED UP OUT OF ORDER**

SB 1198 (Pr. No. 1735) — Without objection, the bill was called up out of order, from page 2 of the Calendar, under Bill on Concurrence in House Amendments, by Senator JUBELIRER, as a Special Order of Business.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1198 (Pr. No. 1735) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1198.

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—49

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

NAYS—0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**BILL WHICH HOUSE HAS NONCONCURRED
IN SENATE AMENDMENTS**

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO HB 562,
AND APPOINTS COMMITTEE OF CONFERENCE

HB 562 (Pr. No. 3222) — Senator JUBELIRER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 562, and that a Committee of Conference on the part of the Senate be appointed.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. MANBECK, HOLL and SCANLON as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 562.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

REQUEST FOR RECESS

Senator JUBELIRER. Mr. President, at this time I would ask for a recess of the Senate. First of all, on behalf of the Chairman of the Committee on Local Government, the gentleman from Centre, Senator Corman, I would ask that all Members of that committee report to the Rules Committee room for a very brief meeting of the Committee on Local Government. Mr. President, I would ask that all Republican Members of the Senate report to the first floor caucus room for a Republican caucus to begin immediately.

Mr. President, I will amend that request that Republican Members of the caucus report to the first floor caucus room promptly at 2:00 p.m., and it is our expectation to return to the floor by 3:00 p.m.

Senator ZEMPRELLI. Mr. President, as we are probably going to be in recess, I would also request a Democratic caucus immediately.

The PRESIDENT. What time would the gentleman want the Democratic caucus to begin?

Senator ZEMPRELLI. Upon the call for recess by the Chair.

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The Majority and Minority Leaders have given permission for the Committee on Local Government to meet today at 1:30 p.m. in the Rules Committee room to consider House Bill No. 538, House Bill No. 349, House Bill No. 1585, also Senate Bill No. 996 and Senate Bill No. 1089.

RECESS

The PRESIDENT. For the purpose of Republican and Democratic caucuses, the Republicans to convene at 2:00 p.m., the Democrats to convene immediately, the Chair declares the Senate in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

**PREFERRED APPROPRIATION BILL ON
CONCURRENCE IN HOUSE AMENDMENTS**

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 939 (Pr. No. 1873) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 939. I ask for a negative vote.

On the question,

Will the Senate agree to the motion?

Senator ZEMPRELLI. Mr. President, I request that the Members of the Senate affirmatively approve and render an affirmative vote for concurrence.

Senator KELLEY. Mr. President, without making any fanfare, I would like to just call the attention of my colleagues to Senate Bill No. 939, Printer's No. 1873. It appears on the face of it to be back to a practice that many of us have criticized and promised not to practice. That is, at the bottom of page 3 there is a very clear, clear nonpreferred appropriation. I think I would only ask and hope the Administration and the legislative leaders would honor the constitutional requirements of this Commonwealth in that we would keep distinctions very clearly of the preferreds and the nonpreferreds because there is a very significant vote differential. I would hope, Mr. President, in the future this practice will no longer be practiced.

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

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

Senator FISHER. 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—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

NAYS—25

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

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

Senator JUBELIRER. Mr. President, I move that the President pro tempore appoint a Committee of Conference on Senate Bill No. 939.

The motion was agreed to.

The PRESIDENT. The amendments are nonconcurrent in and the President pro tempore will appoint a Committee of Conference.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 563 (Pr. No. 1810) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 563.

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—49

Andrezeski	Holl	Manbeck	Ross
Bell	Hopper	Mellow	Scanlon
Bodack	Howard	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampone
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer

Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli
Hess			

NAYS—0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

BILL OVER IN ORDER

SB 942 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1300 (Pr. No. 1818) — Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1300.

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—49

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

NAYS—0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 1652 (Pr. No. 3080) — And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Senator JUBELIRER. Mr. President, I request House Bill No. 1652 go over in its order temporarily.

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

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator ZEMPRELLI. Mr. President, we object to House Bill No. 1652 going over temporarily or going over permanently or doing anything other than being considered at this time.

RECESS

Senator JUBELIRER. Mr. President, I request a recess to the call of the Chair.

Senator ZEMPRELLI. Mr. President, we object to a recess at this time, it is obvious what is intended. We would ask that the bill be considered and that the Senate stay in Session.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator JUBELIRER. Mr. President, I move that the Senate stand in recess to the call of the Chair.

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

Senator ZEMPRELLI. Mr. President, I would ask all Members of the Senate to vote in the negative on this motion to recess for any period of time. It is obvious what the intent is. If the gentleman from Philadelphia, Senator Street, is intended to be voted, he should be here.

The PRESIDENT. The Chair would remind the gentleman the question is not debatable.

Senator ZEMPRELLI. I am sorry, Mr. President, we object to the motion to recess. We are here to do business as the Senate should.

The PRESIDENT. The Chair would remind the gentleman the question is not debatable.

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

The yeas and nays were required by Senator JUBELIRER 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	Tilghman
Hager	Kusse	Price	Wilt
Helfrick			

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

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

The PRESIDENT. The Senate stands in recess until the call of the Chair.

AFTER RECESS

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

The Senate has before it House Bill No. 1652, Printer's No. 3080.

And the question recurring,

Shall the bill pass finally?

SENATOR JUBELIRER TO VOTE FOR SENATOR SHAFFER

Senator JUBELIRER. Mr. President, I have just received a note from Senator Shaffer's office that he had prescheduled meetings and legislative business with constituents before this Session was expected. I am requesting a legislative leave of absence for him for the balance of today's Session.

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

And the question recurring,
Shall the bill pass finally?

MOTION FOR BILL OVER IN ORDER

Senator JUBELIRER. Mr. President, I move that House Bill No. 1652, Printer's No. 3080, go over in its order.

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

Senator MELLOW. Mr. President, I object to the motion for the bill going over in its order.

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

The yeas and nays were required by Senator JUBELIRER 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	Tilghman
Hager	Kusse	Price	Wilt
Helfrick			

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

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

The PRESIDENT. House Bill No. 1652 will go over in its order.

THIRD CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 730 and HB 1040 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 786 (Pr. No. 829) — 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—39

Andrezeski	Howard	Mellow	Shaffer
Bodack	Jubelirer	Messinger	Singel
Corman	Kelley	Murray	Stampone
Fisher	Kusse	O'Connell	Stapleton
Fumo	Lewis	O'Pake	Stauffer
Greenleaf	Lincoln	Price	Stout
Hager	Lloyd	Rhoades	Tilghman
Hankins	Loeper	Romanelli	Wilt
Helfrick	Lynch	Ross	Zemprelli
Hopper	McKinney	Scanlon	

NAYS—10

Bell	Hess	Moore	Reibman
Early	Holl	Pecora	Snyder
Gekas	Manbeck		

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

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

SB 1002 (Pr. No. 1866) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

SB 1003 (Pr. No. 1179) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

SB 1280 (Pr. No. 1580) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

SB 1363 (Pr. No. 1772) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

Andrezeski	Holl	Manbeck	Ross
Bell	Hopper	Mellow	Scanlon
Bodack	Howard	Messinger	Shaffer
Corman	Jubelirer	Moore	Singel
Early	Kelley	Murray	Snyder
Fisher	Kusse	O'Connell	Stampone
Fumo	Lewis	O'Pake	Stapleton
Gekas	Lincoln	Pecora	Stauffer

Greenleaf	Lloyd	Price	Stout
Hager	Loeper	Reibman	Tilghman
Hankins	Lynch	Rhoades	Wilt
Helfrick	McKinney	Romanelli	Zemprelli
Hess			

NAYS—0

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

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

BILL LAID ON THE TABLE

HB 1512 (Pr. No. 3105) — Upon motion of Senator JUBELIRER, and agreed to, the bill was laid on the table.

BILL OVER IN ORDER

HB 1734 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1814 (Pr. No. 2184) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

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

HB 1823 (Pr. No. 3280) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—0

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

Ordered, That the Secretary of the Senate 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.

PERMISSION TO ADDRESS SENATE

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

Senator ZEMPRELLI. Mr. President, the Chair did not recognize me when I acknowledged a negative vote or did not see me within the periphery of your vision. I would like to be recorded in the negative on this vote.

The PRESIDENT. The gentleman in conforming to parliamentary procedure must move the reconsideration of the vote on final passage since the roll call has already been announced.

Senator ZEMPRELLI. Mr. President, I do not want to go through that in light of the time. I would just indicate to the Chair that my intention was to vote "no," and I thought I had. It will not either elect me or not elect me, and I do not know that I have any farmers in my district. However, let the matter pass as it is. Spiritually and otherwise I am opposed to the bill.

The PRESIDENT. The remarks of the gentleman will be spread upon the record.

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1856 (Pr. No. 3281) — Considered the third time,

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

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

Amend Sec. 4, page 9, line 12, by striking out "INSTALLATION" and inserting: and completes or does complete in the judgment of the engineer, at least 10% (based on the cost of the required improvements for which financial security was posted pursuant to section 509)

On the question,

Will the Senate agree to the amendment?

Senator FISHER. Mr. President, I think it was last night that the Minority Leader in reviewing the amendment that was offered at yesterday's Session by the gentleman from Centre, Senator Corman, said he was not sure what the amendment was and was not sure exactly how it fit into the bill. I sympathized with the Minority Leader when he was making those remarks because I, likewise, was not too sure as to what effect the amendment had on the bill. I do, however, know that the bill does have a substantial impact on a number of communities around the Commonwealth and indeed could have a substantial impact on a number of builders and a number of owners of land in Pennsylvania. The proposal as it is before us has been the subject of amendments on two occasions and may be viewed by some people as a compromise effort, but what my amendment does and what I attempt to do is to further define and take one step to further the retroactivity sections of the bill.

Section 4, on page 9, basically makes the changes that are being made under House Bill No. 1856 of the Municipalities Planning Code retroactive. How it makes it retroactive is this: Under current law, once a preliminary plan is filed and approved, a builder basically has what is known as a vested right to proceed and his attempt to develop his property cannot be changed by any subsequent changes of the zoning laws or by any action by local government.

Mr. President, basically what this bill does is, it adds to the existing three years in the retroactivity section another two years. It says that for a variety of reasons which I think are familiar to almost everybody because of problems that perhaps have occurred over the past few years or are occurring at the present time, that maybe some people need a little additional time before they need the protection that the Municipalities Planning Code gives.

The problem with the amendment offered last night by the gentleman from Centre, Senator Corman, although it qualifies who gets the protection by saying that a person or landowner gets that protection if he has commenced or does commence installation of improvements, nowhere that I know of in the Municipalities Planning Code or in this bill does it define "commence." There are communities, and I caution my colleagues in the Senate, where there are various proposals that have been approved in the past two to three years that have been very controversial and there may be changes in the complexion of the local government body in that community. But some of these changes may be subject to review under current law at the end of three years. If this bill passes as is, the only thing a developer will have to do, in my opinion, since the word "commence" or "commences" is not defined, is that he could do as little as go in with a bulldozer, plow a road and go before the court and say, "Commence means to begin and the Legislature, by not defining it, must have meant to adopt a definition in Webster's as to the word commence."

What I am trying to do is this: I am saying by my amendment, that to really fall within the commencement provision and gain an additional two years, they had to do at least 10 per cent of the work. All I am trying to do is to define what "commence" means.

Through the course of discussions and negotiations today, that percentage has come down from 50 per cent to 10 per cent and that is what is before us here this afternoon. I do not think that saying that in order for them to get the benefit of House Bill No. 1856, if it is signed into law, they have to have done 10 per cent of the work. Is that onerous? I think what we will do if we do not put some type of definition of "commencement" in, is allow every person an additional two years. Maybe that is what we want to do but I caution my colleagues that we are certainly changing the rules in the middle of the game and although we may not have heard from any local government groups or our local communities, I can assure my colleagues that the change in this law will have a substantial effect. Although my amendment may have an affect on someone who has not yet started, it will not have an affect on them if, in fact, local government does not try to make some change in their zoning laws. It is not going to affect everybody who has not started, but it is going to give local government the right to reassess, not in the legal term, but to take another look at a project that may have been approved a few years ago. I think it is a reasonable approach. It is an approach to a very complicated bill that I admit perhaps may be difficult to explain, but it is an approach which I think, if we fail to adopt this, will leave a very vague meaning in our law and it could come back to haunt us over the next few years when people find out that an additional two years was granted to literally everybody who has had a plan approved within the last three years.

Mr. President, I ask my colleagues to seriously consider this amendment. I know some people may have problems with it, but I think it is an approach that will make the bill more workable and will protect the people who really deserve the protection throughout the Commonwealth.

Senator LEWIS. Mr. President, there is certainly no doubt about the fact that the passage of House Bill No. 1856 will have a substantial impact upon our communities and the legitimate developmental projects that are undertaken within them. That is the very reason why we need to reject this amendment because the passage of House Bill No. 1856 is important for that orderly and necessary progress within those communities.

The bill is a very complicated one. It has been the subject of intense negotiations between and among the concerned parties. In its present form, with the benefit of the amendments that have been offered by the gentleman from Centre, Senator Corman, the bill represents the meeting of the minds of all those parties and how difficult that is to accomplish. I think each and every one of us can appreciate that when we have the traditional forces of development, of construction, meeting the traditional constraints of the planning and the concerns within the communities. This bill now represents a meeting of those kinds of minds, and the concern about this amendment is that the fragility of the bill may well be toppled by adding additions that have not been agreed to by all the parties who are concerned.

The issue raised by my colleague is one that should not summarily be dismissed. However, the need to have precise defini-

tion as the gentleman suggests with this amendment should not give us specific concern. There are many instances throughout the Municipalities Planning Code and throughout all of the activities of our local governments in which the precise definitions of phraseology are left to the parties to determine, based upon their circumstances at the time.

It is for that reason, Mr. President, the current language of this bill causes me no great consternation. Although it might be argued that preciseness or specificity may have some benefit in particular circumstances, it should not lead us into a posture in which the lengthy and difficult and badly needed revisions that are contained within this bill now might be jeopardized.

For that reason, Mr. President, I would ask for a negative vote on the amendment.

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

(During the calling of the roll, the following occurred:)
Senator MCKINNEY. Mr. President, I would like to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—18

Bell	Hopper	Manbeck	Shaffer
Fisher	Kelley	Moore	Snyder
Gekas	Kusse	Pecora	Street
Greenleaf	Lloyd	Price	Tilghman
Holl	Loeper		

NAYS—32

Andrezeski	Hess	Messinger	Scanlon
Bodack	Howard	Murray	Singel
Corman	Jubelirer	O'Connell	Stampone
Early	Lewis	O'Pake	Stapleton
Fumo	Lincoln	Reibman	Stauffer
Hager	Lynch	Rhoades	Stout
Hankins	McKinney	Romanelli	Wilt
Helfrick	Mellow	Ross	Zemprelli

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

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

It was agreed to.

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

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—1

Greenleaf

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

Ordered, That the Secretary of the Senate 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 2011 (Pr. No. 2458) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

BILL OVER IN ORDER

HB 2066 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2081 (Pr. No. 2991) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

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

NAYS—0

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

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

BILLS OVER IN ORDER

HB 2097 (Pr. No. 3141) — Considered the third time,

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

Senator JUBELIRER. Mr. President, I request that House Bill No. 2097 go over in its order.

Senator LLOYD. Mr. President, I would ask for a negative vote on the motion to go over House Bill No. 2097.

The PRESIDENT. The Chair will interrupt the gentleman. The gentleman from Blair has merely requested that the bill go over in its order. It has not been so moved. Will the gentleman from Philadelphia care to object to that request?

Senator LLOYD. Mr. President, I would object to that request.

MOTION FOR BILL OVER IN ORDER

Senator JUBELIRER. Mr. President, I move that House Bill No. 2097 go over in its order.

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

Senator LLOYD. Mr. President, I would ask for a "no" vote on the motion to go over House Bill No. 2097.

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

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

YEAS—26

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

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

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

The PRESIDENT. House Bill No. 2097 will go over in its order.

HB 2210 and 2211 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2213 (Pr. No. 2914) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—49

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

NAYS—1

Moore

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

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

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 517, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 517**, and has appointed Messrs. HAYES, BURNS and GALLAGHER as a Committee of Conference to confer with a similar Committee of the Senate (if the Senate shall appoint such Committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDENT. This will appear on the Calendar.

RECESS

Senator ZEMPRELLI. Mr. President, in light of the fact that this is a development that we have not caucused on and understanding what the purpose is here, I would ask for a short recess of the Senate for the purpose of a Democratic caucus for information purposes. I do not imagine we will be very long but I do think it is important enough for us to caucus about it.

Senator JUBELIRER. Mr. President, does the gentleman have any idea how long, five, ten minutes?

Senator ZEMPRELLI. Mr. President, I would say five, ten minutes at the most.

Senator JUBELIRER. Mr. President, we will be at ease if that is what the gentleman wants.

Senator ZEMPRELLI. Mr. President, everybody is here. I would ask the Members of the Democratic caucus to come to our caucus room just for a moment so we can understand what is intended with House Bill No. 517.

The PRESIDENT. For the purpose of a Democratic caucus, the Chair declares the Senate in recess.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR

BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 517

HB 517 (Pr. No. 3233) — Senator JUBELIRER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 517, and that a Committee of Conference on the part of the Senate be appointed.

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

Senator 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, is the intent in asking that the Senate insists upon its amendments to have the bill go to conference and at that point in time have the Committee of Conference consider the introduction of a school subsidy formula for the purpose of distribution of some \$72 million that is hanging as an appropriation?

Senator JUBELIRER. Mr. President, I believe the gentleman is correct, and that certainly could be one of the issues before the Committee of Conference and one that we expect would be raised.

Senator ZEMPRELLI. Mr. President, is there a printout of the appropriation distribution that is proposed and intended to be made a part of the Committee of Conference presumptive on House Bill No. 517?

Senator JUBELIRER. Mr. President, at this time there is not because there is no Committee of Conference. I would expect as soon as that Committee of Conference meets, such a printout would be available.

Senator ZEMPRELLI. Mr. President, does the gentleman know of the existence of any printout of a proposed formula to be considered by this committee?

Senator JUBELIRER. Mr. President, I am advised that an extensive amount of work has been done but no final printout.

Senator ZEMPRELLI. Mr. President, is the gentleman aware of the fact that the newsroom has had distributed to it this afternoon a schedule of the proposed distribution according to a formula that is intended to be a part of a report of a Committee of Conference on House Bill No. 517.

Senator JUBELIRER. Well, as is the custom, they get it before we do. I am not aware of it, no.

Senator ZEMPRELLI. Mr. President, does the gentleman know how the newsroom may have gotten possession of such information?

Senator JUBELIRER. In looking to our two conferees on the budget matters and to legal counsel, we do not know how they got it. To my knowledge, we did not distribute it.

Senator ZEMPRELLI. Mr. President, the inquiry is, does the gentleman have information as to how you propose to have the Committee of Conference act with respect to a formula for distribution of these funds?

Senator JUBELIRER. Mr. President, I believe that is a matter for the conferees to discuss. The answer to the question of the gentleman is specifically no.

Senator ZEMPRELLI. Mr. President, the gentleman misunderstands me. I understand that it is the jurisdiction and province of the committee to consider the matter. I repeat my question. Does the gentleman know of the existence of any proposed formula that the committee would be acting upon or recommended to the committee?

Senator JUBELIRER. Mr. President, I am advised there are proposals, but I cannot be specific.

Senator ZEMPRELLI. Mr. President, does the gentleman know whether anybody from his caucus or any committee or any officer or official associated with the Republican caucus has made any of this information available to either the Chairman of the Committee on Education or any other Members of the Democratic caucus to this day?

Senator JUBELIRER. Mr. President, again in conference here, the answer specifically would be no, although I am advised one of our Members may have discussed generalizations, not anything specifically such as a printout with a Member or Members of the gentleman's caucus.

Senator ZEMPRELLI. Mr. President, would the gentleman have any idea who may have distributed printed information to the news media as to a proposed formula that may not have been made available to Members of the Democratic caucus?

Senator JUBELIRER. The gentleman may want to interrogate the Associated Press but unfortunately I cannot answer it. I do not know.

Senator ZEMPRELLI. Mr. President, when does the gentleman from Blair, Senator Jubelirer, expect the Committee of Conference to meet or what will be his recommendation made to the conferees as to a meeting time to resolve the issue if a Committee of Conference is organized?

Senator JUBELIRER. Mr. President, I would expect and hope that the Committee of Conference would meet, if that were possible, as early as tonight. Again that would be a matter for the conferees themselves to decide, but it is not our intention to vote any reports.

Senator ZEMPRELLI. Mr. President, has the gentleman requested the Department of Education or others to organize and publish a printout which would show how each school district is affected by any proposal now being considered or which will be asked to be considered by the conferees?

Senator JUBELIRER. Mr. President, if I heard the gentleman correctly, I believe there have been a significant amount of inquiries to that department but I want to assure this Body and the Minority Leader there will be no vote taken of any kind prior to each Member of the Senate having a printout of the proposed allocations.

Senator ZEMPRELLI. Mr. President, I take no comfort in that statement after last night's experience. I would ask the gentleman if he can tell me at what point in time we might have in our possession a report for an analysis before we are asked to vote on the same?

Mr. President, stated in another way, when does the gentleman from Blair, Senator Jubelirer, expect to report a vote on a Committee of Conference report on House Bill No. 517?

Senator JUBELIRER. Mr. President, if I may answer it this way, again before there would be any vote every Member would have an opportunity to review a printout that would be in their hands sometime after the Committee of Conference and before the vote. I cannot say specifically when. If that is possible tomorrow, we would certainly like to do it tomorrow.

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

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

Senator JUBELIRER. I will, Mr. President.

Senator KELLEY. Mr. President, as I understood one of the responses by the gentleman to the questions of the gentleman from Allegheny, Senator Zemprelli, about the meeting of the Committee of Conference on House Bill No. 517, the gentleman indicated he thought the committee would possibly meet tonight, is that correct, Mr. President?

Senator JUBELIRER. The gentleman is correct, Mr. President.

Senator KELLEY. Mr. President, I wonder if the gentleman could explain to me how the Committee of Conference could meet tonight and still be in compliance with the Sunshine Law?

Senator JUBELIRER. Mr. President, I am advised again by counsel that since it is a House bill, it will be done under

the House Rules, it just will not be able to be signed. I would amend that to say it can be signed but it would have to be done under the House Rules. As I understand it, since it is a House bill, that would meet the requirements of the Sunshine Law.

Senator KELLEY. Mr. President, I understood the Sunshine Law to be a law of the Commonwealth that is applicable to both Bodies of the General Assembly. I did not know there is any difference between the two as far as the application of the laws of the Commonwealth. It is not so much the signing of the report that concerns me but how the meeting could take place without the adequate statutory time requirements of notice being given?

Senator JUBELIRER. Mr. President, if that is in the form of a question, I would read to the gentleman, as has been presented to me, the section of the law which is covered, "Notwithstanding any provision to the contrary, committees may be called into Session in accordance with the provisions of the Rules of the House or the Senate and an announcement by the Speaker of the House or the Presiding Officer of the Senate, provided that announcement is made in open Session of the House and the Senate." I would expect, Mr. President, that is the way it would be done as has been done in the past.

Senator KELLEY. Mr. President, I have a disagreement in a sense because the committees once in Session and the recessing in those matters and the scheduling with which we have all been operating in both Bodies, and certainly the suggestion that the Committee of Conference would be meeting tonight is in deviation of that practice. I wonder then if the gentleman is not suggesting we have been doing a useless act in the manner in which we have been conducting business. Certainly, what he is suggesting is not consistent with what we have done in the past and how we have done it. Maybe those things do not apply today either.

Senator LINCOLN. Mr. President, I did not have much success last night, but 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. Oh, it is a new night, I would be delighted, Mr. President.

Senator LINCOLN. Mr. President, that is the wonderful thing about this life, every day brings something new.

Mr. President, this Committee of Conference which we are talking about right now, can it possibly meet prior to the other House in this building passing the budget?

Senator JUBELIRER. Mr. President, I cannot answer. I only can tell the gentleman that would be a matter for the Chairman of the Committee of Conference to decide with the conferees, but the chairman, I believe, would be in order if the chairman wanted to call such a meeting.

Senator LINCOLN. Mr. President, I question whether that would be legal because I know there is a very good possibility there will be 102 Republican votes in the House for that budget, but until that particular time happens, we really do not have \$72 million available to deal with.

Senator JUBELIRER. Mr. President, was that a question or a statement?

Senator LINCOLN. Mr. President, I would suggest the gentleman from Blair, Senator Jubelirer, handle it however he would like to, but that is something I think they should consider. There have been a lot of funny things going on in the last twenty-four hours, but it would be really difficult for me to think we could set a formula up for spending \$72 million whenever we really have not appropriated it legally.

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

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

Senator JUBELIRER. I will, Mr. President.

Senator FUMO. Mr. President, does the gentleman from Blair, Senator Jubelirer, have any knowledge whatsoever about this printout from the Department of Education that somehow exists?

Senator JUBELIRER. No, Mr. President.

Senator FUMO. So I am correct in assuming, Mr. President, he cannot tell me how much money the school district of the City of Philadelphia will be getting out of that \$72 million?

Senator JUBELIRER. The gentleman is correct, Mr. President.

Senator FUMO. Mr. President, I would ask my colleagues to recede from the amendments in that it would be to vote "no" on, I believe, the Majority Leader's motion. Last night during the budget debate in the Senate, I am now told, now that some people have had a chance to read it, that the School District of the City of Philadelphia took a loss of \$13 million. During that debate we were told that the \$72 million that was to be appropriated would take care of some of those problems, as well as some of the increases.

Mr. President, I am not as optimistic or trusting of the Majority Leader as maybe some of my other colleagues from the City of Philadelphia are. I do not believe the City of Philadelphia School District is going to get their \$13 million out of that and certainly are not going to get any more over and above that. I do not say that because I think there is malice afoot with the Majority Leader or his colleagues, but I do think the \$72 million is not like the proverbial loaves and fishes on the mount. There is not enough money in that \$72 million to take care of all the school districts in this Commonwealth that have been shortchanged. I do not think—and I speak for Philadelphia because that is my school district and I think my other colleagues here should have some interest in their school districts—the School District of the City of Philadelphia is going to get its fair share of that \$72 million. I do not think the City of Philadelphia is going to get back the \$13 million that it was shortchanged last night. Furthermore, Mr. President, I would like to have the opportunity on this Senate floor to debate that formula.

I was told last night by the gentleman from Montgomery, Senator Tilghman, that the formula would be decided by this Chamber.

Mr. President, if that formula gets decided by this Chamber the way in which the budget was decided, Philadelphia will be hurt even more. Again, I do not want to seem parochial, but that is the district I represent. I think my other colleagues are faced with similar problems for their districts. I think the proper way in which to arrive at the proper distribution of those funds is to have it come through as a bill with the proper amendments being offered on this floor and voted up or down by the people in this Chamber.

Mr. President, I submit the Committee of Conference will come back with a formula that will hurt Philadelphia, that will probably hurt some of my other colleagues on this side of the aisle, simply because there are twenty-six votes on that side of the aisle and twenty-four on this side of the aisle, even though two of those votes on that side of the aisle are from the City of Philadelphia.

I would urge, Mr. President, that we do not insist upon our amendments, that we do not appoint a Committee of Conference, but rather that we deal with this formula straight up and in the proper fashion so I will not be told as I was last night by a colleague. What could I do, the bill was already in print? Mr. President, I do not want the bill in print when it comes back here, I want to be able to debate it properly. I would, therefore, urge a "no" vote on the Majority Leader's motion.

And the question recurring,
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—26

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

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

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

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. HESS, STAUFFER and LINCOLN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 517.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

RECESS

Senator JUBELIRER. Mr. President, before we move to the Second Consideration Calendar, I would request on behalf of Senator Gekas that a very brief meeting in the Rules Committee room of the Committee on Judiciary be held at this time. For that purpose I would ask a very brief recess of the Senate. If all members of the Committee on Judiciary could report to the Rules Committee room immediately, we can do this in very quick fashion.

The PRESIDENT. For the purpose of a meeting of the Committee on Judiciary in the Rules Committee room, the Chair declares the Senate in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED**SECOND CONSIDERATION CALENDAR****BILL REREPORTED FROM COMMITTEE
AS AMENDED OVER IN ORDER**

HB 163 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 86 (Pr. No. 86) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILL ON SECOND CONSIDERATION AMENDED

HB 121 (Pr. No. 122) — The bill was considered.

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

JUBELIRER AMENDMENT I

Senator JUBELIRER offered the following amendment:

Amend Sec. 1, page 1, line 14, by striking out “primary, municipal or”

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

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

JUBELIRER AMENDMENT II

Senator JUBELIRER offered the following amendment:

Amend Sec. 1, page 1, line 12, by inserting after “reconstruction”: and rehabilitation

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

It was agreed to.

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

JUBELIRER AMENDMENTS III

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

Amend Title, page 1, line 8, by inserting after “rehabilitate”: personal care

Amend Sec. 1, page 1, line 12, by inserting after “of”: personal care

Amend Sec. 3, page 2, line 2, by inserting after “rehabilitate”: personal care

Amend Sec. 5, page 2, line 10, by inserting after “and”: personal care

Amend Sec. 5, page 2, line 11, by inserting after “standards”: as provided by law

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

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

It was agreed to.
Ordered, To be printed on the Calendar for third consideration.

**SENATOR JUBELIRER TO VOTE FOR
SENATOR GEKAS**

Senator JUBELIRER. Mr. President, I request a legislative leave of absence for Senator Gekas who has been called from the floor on legislative business.

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

SECOND CONSIDERATION CALENDAR RESUMED**BILLS OVER IN ORDER**

SB 128, HB 315 and 950 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL REREFERRED

HB 1056 (Pr. No. 1170) — The bill was considered.

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

Senator JUBELIRER. Mr. President, I move that House Bill No. 1056 be rereferred to the Committee on Appropriations.

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

Senator EARLY. Mr. President, I object and ask for a roll call vote.

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

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

YEAS—26

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

NAYS—24

Andrezeski	Lewis	Messinger	Scanlon
Bodack	Lincoln	Murray	Singel
Early	Lloyd	O'Pake	Stampone
Fumo	Lynch	Reibman	Stapleton
Hankins	McKinney	Romanelli	Stout
Kelley	Mellow	Ross	Zemprelli

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

The PRESIDENT. House Bill No. 1056 is rereferred to the Committee on Appropriations.

BILL RECOMMITTED

SB 1067 (Pr. No. 1848) — Upon motion of Senator HOWARD, and agreed to, the bill was recommitted to the Committee on Public Health and Welfare.

BILL ON SECOND CONSIDERATION AMENDED

SB 1109 (Pr. No. 1835) — The bill was considered.

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

Amend Bill, page 4, by inserting between lines 20 and 21:

Section 3. Section 4703(a) of Title 75 is amended to read:
§ 4703. Operation of vehicle without official certificate of inspection.

(a) General rule.—

(1) Except as otherwise provided in this section, no motor vehicle required to bear current registration plates issued by this Commonwealth or by any other state requiring inspection of vehicles shall be driven and no trailer required to bear current registration plates issued by this Commonwealth shall be moved on a highway and no mass transit vehicle shall be operated unless the vehicle displays a currently valid certificate of inspection issued under this chapter or issued pursuant to applicable law of the state in which the vehicle is registered.

(2) No motor carrier vehicle shall be operated on a highway unless it displays a currently valid certificate of inspection issued under this chapter or by another state.

Amend Sec. 3, page 4, line 21, by striking out "3" and inserting: 4

Amend Sec. 4, page 6, line 8, by striking out "4" and inserting: 5

Amend Sec. 5, page 7, line 17, by striking out "5" and inserting: 6

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

They were agreed to.

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

Senator HOWARD offered the following amendments:

Amend Title, page 1, line 2, by inserting after "INSPECTIONS": , for removal of vehicle by or at direction of police
Amend Bill, page 4, by inserting between lines 19 and 20:

Section 2. Section 3352(d) of Title 75 is amended to read:
§ 3352. Removal of vehicle by or at direction of police.
* * *

(d) Notice to owner prior to removal.—

(1) Prior to removal [of an abandoned vehicle] under subsection (c)(5) of a vehicle which is abandoned upon a highway and is not in violation of subsection (b) or section 3351(a) or section 3353 (relating to prohibitions in specified places) bearing a registration plate by which the last registered owner of the vehicle can be determined, notice shall be sent by certified mail to the last registered owner of the vehicle informing the owner that unless the vehicle is moved to a suitable location within five days of the date notice is mailed, the vehicle will be removed under this section and held at a suitable facility where it may be reclaimed by the owner in accordance with the provisions of section 7306 (relating to payment of costs upon reclaiming vehicle). If the abandoned motor vehicle does not bear an identifiable registration plate, the notice may be secured to the vehicle.

(2) If, within the five-day period, the owner so requests, the owner shall be given an opportunity to explain to the police officer or department why the owner believes the vehicle should not be moved. If the police officer or department determines that the vehicle shall, nonetheless, be moved, the owner shall be given an additional 48 hours to move the vehicle or have it moved.

(3) The provision for notice set forth in this subsection is in addition to any other notice requirements provided in Chapter 73.

Amend Sec. 2, page 4, line 20, by striking out "2" and inserting: 3

Amend Sec. 3, page 4, line 21, by striking out "3" and inserting: 4

Amend Sec. 4, page 6, line 8, by striking out "4" and inserting: 5

Amend Sec. 5, page 7, line 17, by striking out "5" and inserting: 6

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

They were agreed to.

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

BILLS OVER IN ORDER

SB 1150, 1151 and 1152 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

HB 1193 (Pr. No. 3136) — The bill was considered.

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

AMENDMENTS OFFERED

Senator CORMAN offered the following amendments:

Amend Sec. 1, (Sec. 1706), page 4, by inserting between lines 6 and 7:

(7) Certificates of deposit purchased from institutions having their principal place of business outside the Commonwealth and insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation or the National Credit Union Share Insurance Fund to the extent that such accounts are so insured, and, for any amounts above the insured maximum, provided that approved collateral as provided by law therefore shall be pledged by the depository. Certificates of deposit purchased from commercial banks shall be limited to an amount equal to twenty per centum of a bank's total capital and surplus. Certificates of deposit purchased from savings and loan associations or savings banks shall be limited to an amount equal to twenty per centum of an institution's assets minus liabilities.

Amend Sec. 1 (Sec. 1706), page 4, line 7, by striking out “(7)” and inserting: (8)

Amend Sec. 1 (Sec. 1706), page 4, line 10, by striking out “(8)” and inserting: (9)

On the question,

Will the Senate agree to the amendments?

Senator ZEMPRELLI. Mr. President, my remarks will be both germane to the amendments and also to the bill. I will try to be brief.

Mr. President, the briefest form of comment that I can make is we are doing something here with respect to the whole concept of security with banking institutions that is unbelievable in terms of danger and destruction of the present type of philosophy with respect to the protection of public funds. We spent a great deal of time over the years dealing with the need to place security to protect public funds. A very few years ago banking institutions were required to place only the highest forms of securities to secure public fund deposits, government bonds and other types of bonds. Then we relaxed that rule with the accommodation of the banks and other types of lending institutions to provide that on a daily basis where public funds were involved, certain kinds of securities would be put up to the face value of the deposit.

Mr. President, there was a great deal of consternation over that movement and now I see before us a series of bills, and the remarks I make would be germane to any number of bills on the Calendar, depending upon what classification of government we are talking about, that would allow unsophisticated public officials to take and move to the highest rates of interest and to excuse the banking institutions from placing any depository or providing for any security over and above the limitations provided by FDIC and the like-type securities provided by semigovernmental agencies.

Mr. President, I suggest to you if the reason for this kind of legislation is that municipalities are not encouraged to make deposits in banks because they do not want their business, because they are required to place security over and above the limitations of FDIC, then I say that is all the more reason why we should keep the securities law as it is now in place. It is just that simple, Mr. President.

I do not want to push the panic button, but if there is one industry that does have problems today, it is our forms of banking institutions. There are questions raised about capitalizations. There are questions of the security of banks in and of

themselves that are based upon their portfolios. There have been rumors about the number of banks that have been experiencing tremendous problems. I, for one, would not be part or party to any situation where public funds were involved by some councilman that wants to get a 13 or 14 per cent rate at the expense of security that will not be there in the event there should be some sort of a bank failure. We know we have restrictive banking laws. I think in a very, very unsophisticated way, House Bill No. 1193 portends to do a great deal of damage in areas that I do not think any of us would want to happen.

For that reason, Mr. President, I address my remarks to both the amendments and, of course, to the bill in substance. The amendments may make the bill a little bit better, but they do not really correct the basic problem of security for public funds. If there was a degree of sophistication among these people who want to make deposits at banks to secure higher rates of interest, maybe it would be different. But to talk in terms of prudent man or to talk in terms of any other kinds of avenues that would allow for the invasion of security, I think is a very dangerous and stormy road to embark upon.

Mr. President, I would ask every Member of this Senate, independent of political feeling, to address himself to the real meaning of this legislation and recognize the dangers that are inherent in its passage. For that reason, Mr. President, I would ask for a negative vote.

AMENDMENTS WITHDRAWN

Senator CORMAN. Mr. President, once again I withdraw the amendments.

The PRESIDENT. For the information of the Chair, is it the gentleman's intention not to submit amendments for House Bill No. 1194?

Senator CORMAN. Mr. President, not today.

The PRESIDENT. For House Bill No. 1532, House Bill No. 1533, House Bill No. 1534, House Bill No. 1535 and House Bill No. 1537?

Senator CORMAN. That is correct, Mr. President.

The PRESIDENT. House Bill No. 1193 will go over in its order.

HB 1194 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. It has been brought to the attention of the Chair that the Department of General Services is currently spraying trees in the vicinity of State Street and Third Street. If there is any gentleman or lady here in the Chamber who has a vehicle parked in that vicinity, the advice is to move it, unless one is concerned about the infestation of gypsy moths on one's Oldsmobile.

SECOND CONSIDERATION CALENDAR RESUMED

BILL ON SECOND CONSIDERATION AMENDED

SB 1206 (Pr. No. 1823) — The bill was considered.

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

Senator ZEMPRELLI offered the following amendments:

Amend Sec. 4131, page 17, line 9, by inserting after “Definitions.”: (Reserved)

Amend Sec. 4131, page 17, lines 10 through 27, by striking out all of said lines

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

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

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

Amend Sec. 201, page 3, line 26, by striking out “2522,”

Amend Sec. 201 (Sec. 2522), page 16, lines 26 through 30; page 17, lines 1 through 8, by striking out all of said lines

Amend Sec. 201 (Sec. 4527), page 25, line 11, by striking out “Errors” and inserting: Except as otherwise prescribed by general rule, errors

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

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

It was agreed to.

Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

SB 1208 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL RECOMMITTED

SB 1318 (Pr. No. 1657) — Upon motion of Senator JUBELIRER, and agreed to, the bill was recommitted to the Committee on Public Health and Welfare.

BILL OVER IN ORDER

SB 1329 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

SB 1345 (Pr. No. 1724) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

SB 1384 — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION

HB 1385 (Pr. No. 3228) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

SB 1386, 1389, HB 1394, 1532, 1533, 1534, 1535, 1537 and 1738 — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION

HB 1997 (Pr. No. 2442) and HB 1998 (Pr. No. 2443) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILLS ON SECOND CONSIDERATION AMENDED

HB 1999 (Pr. No. 2444) — The bill was considered.

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

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

Amend Sec. 3, page 4, line 10, by striking out “(a) Section 1 of this” and inserting: This

Amend Sec. 3, page 4, lines 12 and 13, by striking out all of said lines

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

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

It was agreed to.

Ordered, To be printed on the Calendar for third consideration.

HB 2037 (Pr. No. 3203) — The bill was considered.

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

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

Amend Title, page 1, line 11, by striking out “” for filling of” and inserting: compensation for persons filling

Amend Sec. 1 (Sec. 301), page 2, line 13, by striking out “commission” and inserting: board

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

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

It was agreed to.

Ordered, To be printed on the Calendar for third consideration.

BILL ON SECOND CONSIDERATION

HB 2101 (Pr. No. 3231) — Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

FIRST CONSIDERATION CALENDAR

BILLS ON FIRST CONSIDERATION

SB 1153 (Pr. No. 1892), SB 1364 (Pr. No. 1773), HB 1789 (Pr. No. 3276) and HB 1806 (Pr. No. 3277) — Considered the first time and agreed to,

Ordered, To be printed on the Calendar for second consideration.

UNFINISHED BUSINESS

REPORTS FROM COMMITTEES

Senator CORMAN, from the Committee on Local Government, rereported, as amended, **SB 1089**; reported, as committed, **HB 349**; as amended, **HB 538** and **1585**.

Senator GEKAS, from the Committee on Judiciary, rereported, as amended, **SB 194**.

BILLS IN PLACE

Senator LLOYD presented to the Chair several bills.

Senator FUMO presented to the Chair two bills.

GENERAL COMMUNICATIONS

DISCHARGE PETITIONS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, May 4, 1982.

We, the Senators whose signatures are affixed hereto respectfully request that the Honorable William W. Scranton, III, as presiding officer of the Senate of the Commonwealth of Pennsylvania, place the nomination hereafter set forth before the Senate for a vote pursuant to the provisions of Article IV, Section 8(b) of the Constitution of the Commonwealth of Pennsylvania which provides in part "... The Senate shall act on each executive nomination within 25 legislative days of its submission. If the Senate has not voted upon a nomination within 15 legislative days following such submission, any five members of the Senate may, in writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first...."

We respectfully set forth the following facts relative to the nomination hereinafter set forth:

1. The nomination was presented to the Senate on February 22, 1982; and

2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

John W. Kraft

Member
State Board
of Education

Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, May 4, 1982.

We, the Senators whose signatures are affixed hereto respectfully request that the Honorable William W. Scranton, III, as presiding officer of the Senate of the Commonwealth of Pennsylvania, place the nomination hereafter set forth before the Senate for a vote pursuant to the provisions of Article IV, Section 8(b) of the Constitution of the Commonwealth of Pennsylvania which provides in part "... The Senate shall act on each executive nomination within 25 legislative days of its submission. If the Senate has not voted upon a nomination within 15 legislative days following such submission, any five members of the Senate may, in writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first...."

We respectfully set forth the following facts relative to the nomination hereinafter set forth:

1. The nomination was presented to the Senate on February 22, 1982; and

2. The nomination has been before the Senate for a period of time in excess of 15 legislative days.

The nominee in the position is as follows:

Lowell A. Reed
Jr., Esq.

Judge
Commonwealth Court

Edward P. Zemprelli
Eugene F. Scanlon
Robert J. Mellow
Francis J. Lynch
James E. Ross

The PRESIDENT. The communications will be laid on the table.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Villa Maria Academy Girls Basketball Team by Senator Andrezeski.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence M. Ferguson, Mr. and Mrs. Walter O. Marzolf, Mr. and Mrs. Charles Volk and to Nicholas J. Spudich by Senator Bodack.

Congratulations of the Senate were extended to Doctor Gerald H. Cessna by Senator Early.

Congratulations of the Senate were extended to Richard L. Stanley by Senator Fisher.

Congratulations of the Senate were extended to Bruce E. Cooper by Senators Gekas, Moore and Hopper.

Congratulations of the Senate were extended to First Baptist Church of Honesdale by Senator O'Connell.

Congratulations of the Senate were extended to Brad Kreisher and to the Boyertown Area Times by Senator O'Pake.

Congratulations of the Senate were extended to Miss Agnes M. May by Senator Scanlon.

BILLS ON FIRST CONSIDERATION

Senator KUSSE. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

SB 1050, 1375, HB 178, 349, 538, 865, 1268 and 1585.

And said bills having been considered for the first time,

Ordered, To be printed on the Calendar for second consideration.

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

The Clerk of the House of Representatives informed the Senate that the House has concurred in resolution from the Senate, entitled:

Recess Adjournment.

**HOUSE NONCONCURS IN SENATE
AMENDMENTS TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 50**.

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

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 1107** and **1286**, with the information that the House has passed the same without amendments.

**HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO HB 562, AND APPOINTS
COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 562**, and has appointed Messrs. DININNI, DAVIES and STEWART as a Committee of Conference to confer with a similar Committee of the Senate (if the Senate shall appoint such Committee) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

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

SB 563, 1107, 1198, 1286, 1300 and HB 2083.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 5, 1982

- 9:30 A.M. PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 1427) Room 459, 4th Floor Conference Rm., North Wing
- 10:30 A.M. CONFERENCE COMMITTEE on Senate Bill No. 514 Room 281 A
- 11:00 A.M. Public Employee Retirement Study Commission Room 460, 4th Floor Conference Rm., North Wing
- 1:00 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (Public Hearing on Senate Bill No. 1366) Room 461, 4th Floor Conference Rm., North Wing

TUESDAY, MAY 11, 1982

- 10:00 A.M. ENVIRONMENTAL RESOURCES AND ENERGY (Public Hearing on Oil Divorcement Legislation and other Service Station issues) Auditorium, Toal Building, Orange Street, Media, PA

FRIDAY, MAY 14, 1982

- 10:00 A.M. COMMUNITY AND ECONOMIC DEVELOPMENT to 5:00 P.M. (Public Hearing on Senate Bill No. 1387) Penthouse Suite, 18th Floor, Phila. State Office Bldg., 1400 Spring Garden St., Philadelphia, PA

THURSDAY, MAY 27, 1982

- 10:00 A.M. BANKING AND INSURANCE (Public Hearing to take testimony on Senate Bill No. 1369) Senate Majority Caucus Room

RECESS

Senator JUBELIRER. Mr. President, at this time I move that we recess to the call of the Chair, with the understanding that there will be no votes taken. I am requesting the Membership of the Senate be prepared to go into Session at 10:30 a.m. on Wednesday, May 5, 1982, Eastern Daylight Saving Time.

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

AFTER RECESS

The PRESIDENT pro tempore (Henry G. Hager) in the Chair.

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

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted Report of Committee of Conference on **SB 929**.

BILL SIGNED

The PRESIDENT pro tempore (Henry G. Hager) in the presence of the Senate signed the following bill:

SB 929.

ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 5, 1982, at 10:30 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 11:58 p.m., Eastern Daylight Saving Time.