

# Legislative Journal

WEDNESDAY, JUNE 29, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 51

## SENATE

WEDNESDAY, June 29, 1983.

The Senate met at 11:30 a.m., Eastern Daylight Saving Time.

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

## PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

O God, give Thy abundant blessing upon the leaders of our Commonwealth and Nation, that in all things we may be governed in justice and righteousness. Amen.

## JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 28, 1983.

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

## LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I request temporary legislative leaves of absence for Senator Howard and Senator Jubelirer.

I also request a legislative leave of absence for Senator Greenleaf who is chairing a meeting of the Committee on Law and Justice.

I have just been advised that Senator O'Connell is involved in legislative business and I also request a temporary legislative leave of absence for him.

Senator SCANLON. Mr. President, I request a legislative leave of absence for Senator Fumo for today's and tomorrow's Sessions.

Senator ZEMPRELLI. Mr. President, I request a temporary legislative leave of absence for Senator Kelley who is attending to legislative functions.

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

## HOUSE MESSAGE

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 527, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

## GENERAL COMMUNICATION

### LISTS OF LOBBYISTS AND ORGANIZATIONS

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

#### SENATE OF PENNSYLVANIA

June 29, 1983

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from June 1, 1983 through June 28, 1983 inclusive for the 167th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:

MARK R. CORRIGAN  
Secretary of the Senate

JOHN J. ZUBECK  
Chief Clerk  
House of Representatives

(See Appendix for complete list.)

## REPORT FROM COMMITTEE

Senator HESS, from the Committee on Education, reported the following bill:

### HB 682 (Pr. No. 1514) (Amended)

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), increasing the membership on the State Board of Education; further providing for membership on the Council of Higher Education; excluding State

colleges and universities from certain requirements relating to purchases of printing supplies; imposing additional limitations relating to publications; and further providing for notice to certain municipalities.

### LEGISLATIVE LEAVES

Senator STAUFFER. Mr. President, I request temporary legislative leaves of absence for Senator Kratzer and Senator Rhoades who are in attendance at a committee meeting.

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

### CALENDAR

#### SPECIAL ORDER OF BUSINESS

##### SB 706 CALLED UP OUT OF ORDER

**SB 706 (Pr. No. 1058)** — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator STAUFFER, as a Special Order of Business.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 706 (Pr. No. 1058)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," further providing for eligibility for benefits during education or job training.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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.

### GUEST OF SENATOR MICHAEL A. O'PAKE PRESENTED TO SENATE

Senator O'PAKE. Mr. President, I would appreciate it if the Chair would extend its usual warm welcome to a visitor who is in the gallery. She is a very hardworking and dedicated community servant who also happens to be a Democratic State Committeewoman from Delaware County. Would the Chair please recognize Nancy Lipsett who is in the gallery today?

The PRESIDENT pro tempore. If Senator O'Pake's guest would please rise the Senate would like to extend to you a very warm welcome.

(Applause.)

### REQUEST FOR RECESS

Senator STAUFFER. Mr. President, at this time I request a recess of the Senate to the call of the Chair. I would indicate to the Republican Members that there will be a call for a caucus but it will not be before 2:00 p.m.

Senator ZEMPRELLI. Mr. President, I desire to interrogate the gentleman from Chester, Senator Stauffer.

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

Senator STAUFFER. I will, Mr. President.

Senator ZEMPRELLI. Mr. President, do I understand the gentleman does not intend to have a caucus of the Republican Members until 2:00 p.m.?

Senator STAUFFER. That is correct, Mr. President.

Senator ZEMPRELLI. Mr. President, does the gentleman have any idea as to when the Chair may be reconvening the Senate?

Senator STAUFFER. Mr. President, I would be looking toward 4:00 p.m., or something in that neighborhood.

Senator ZEMPRELLI. Mr. President, does the gentleman have any idea of what lies ahead in the future for the Senate this week insofar as Sessions or what may develop from this point on?

Senator STAUFFER. Mr. President, I can assure the gentleman that we will be voting the Calendar later this afternoon, and I would expect we will certainly have a Session tomorrow. Beyond tomorrow I really am not in a position to predict what our schedule might be.

Senator ZEMPRELLI. Mr. President, would the gentleman advise the Minority as to what may be of importance that we would be considering tomorrow?

Senator STAUFFER. Mr. President, obviously, tomorrow is the final day of the fiscal year and we still have the issue of the 1983-84 budget pending before us. I think the issue of the budget would be the main factor that could keep us in Session.

Senator ZEMPRELLI. Mr. President, does the gentleman propose to do anything with the unemployment compensation issue that has apparently been resolved in some quarters?

Senator STAUFFER. Mr. President, it is possible that we will be dealing with that situation also. In my own mind, I

think it would be more likely that would be dealt with early next week. It is possible it could come before us later this week.

Senator ZEMPRELLI. Mr. President, not to minimize the importance of the budget and also the resolve with respect to unemployment compensation, are there any other significant legislative matters that would keep us here tomorrow, Friday or the beginning of next week?

Senator STAUFFER. Mr. President, in addition to the two pieces of legislation we have already discussed, the unemployment compensation and the budget document, I could conceive of a third piece of legislation that could keep us here and that would be a revenue measure in relation to the budget document itself if one were needed.

**GUESTS OF SENATOR D. MICHAEL FISHER PRESENTED TO SENATE**

Senator FISHER. Mr. President, I would like to take this opportunity to welcome to the Senate two friends of mine who are councilmen from Bethel Park, John Pape and Harold Connell. I ask the Senate to extend to them its usual warm welcome.

The PRESIDENT pro tempore. Will the guests of Senator Fisher please rise so the Senate may extend to you its usual warm welcome?

(Applause.)

**DEMOCRATIC CAUCUS**

Senator ZEMPRELLI. Mr. President, it is extremely important to the Members of the Democratic caucus that we have a very short caucus at this time. I ask all Members of the Democratic caucus to go immediately to the caucus room.

**RECESS**

The PRESIDENT pro tempore. For the purpose of a Democratic caucus which will begin immediately in the Minority caucus room at the rear of the Senate Chamber and for the purpose of a Republican caucus to which the Members will be called, the Senate is in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVES**

Senator SCANLON. Mr. President, I request a temporary legislative leave of absence for Senator Rocks who is attending an unemployment compensation meeting. I also request a temporary legislative leave of absence for Senator O’Pake.

Senator JUBELIRER. Mr. President, I request a temporary legislative leave of absence for Senator Wenger who is acting in his capacity as Chairman of the Committee on Labor and Industry on the unemployment compensation situation.

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

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT pro tempore. I note the presence on the floor of Senator Jubelirer, Senator Kratzer, Senator Kelley and Senator Rhoades. The record will indicate their presence.

**CONSIDERATION OF CALENDAR RESUMED**

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

**BILL OVER IN ORDER**

**HB 84** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 740 (Pr. No. 981)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, further providing for financing statements; and making a repeal.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 740.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O’Connell	Stapleton
Corman	Kelley	O’Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT pro tempore. Let the record show that Senator Greenleaf and Senator O’Connell were present in the

Senate and have voted. Their temporary legislative leaves of absence will be terminated.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR**

**PREFERRED APPROPRIATION BILLS ON  
THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 873 (Pr. No. 1027)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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 874 (Pr. No. 1028)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton

Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisler	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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 875 (Pr. No. 1029)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Department of Labor and Industry from the Workmen's Compensation Administration Fund to provide for the expenses of administering the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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.

**PREFERRED APPROPRIATION BILL  
OVER IN ORDER**

**SB 876** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

**PREFERRED APPROPRIATIONS BILLS ON  
THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 877 (Pr. No. 1031)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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 878 (Pr. No. 1032)** — The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Department of General Services out of various funds for payment of rental charges to The General State Authority.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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 ON THIRD CONSIDERATION AMENDED

**SB 11 (Pr. No. 1059)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school buses to stop at all railroad crossings; and permitting local authorities to designate and use roads for nonvehicular purposes.

Considered the third time,

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

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

Amend Sec. 1 (Sec. 3342), page 2, line 6, by inserting after "of": paragraphs (2), (3) and (4) of

Amend Sec. 1 (Sec. 3342), page 2, line 7, by inserting a comma after "(c)"

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

It was agreed to.

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

BILLS OVER IN ORDER

**SB 165, HB 189, 595 and 596** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 615 (Pr. No. 1073)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for certain suspensions and revocations, and for the effect of certain appeals; and making editorial changes.

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 KELLEY. Mr. President, if it would become law, Senate Bill No. 615 represents a serious departure from our traditional jurisprudence. I would, therefore, urge most strongly a negative vote. The reason for this is the bill represents that a supersedeas which is now automatic when one appeals from the Liquor Control Board hearing to the Courts of Common Pleas, it would no longer make it an automatic supersedeas, but, rather, on the contrary, would say there would have to be a separate hearing by the court to achieve a supersedeas. This is not only a departure but what we would be doing by this bill if it became law, would be putting an additional burden for additional hearings by the Courts of Common Pleas which already are inundated with so much litigation. I, therefore, think the fact the proceeding in the Court of Common Pleas, which in the law is called a de novo, or

beginning all over again, is not an appeal of the record of the administrative hearing, in this case the Liquor Control Board, but, rather, it is a new individual hearing on its own process. I think, therefore, this serious departure from our jurisprudence to not have an automatic supersedeas with it would be imposing the negative result of the hearing when, in fact, they are starting the hearing all over again in a court of record. I, therefore, would urge a negative vote.

Senator WILLIAMS. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Greenleaf.

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

Senator GREENLEAF. I will, Mr. President.

Senator WILLIAMS. Mr. President, I would like to ask the gentleman what is the purpose or objective of this legislation?

Senator GREENLEAF. Mr. President, the purpose of this legislation is the result of a number of hearings. First of all, it was a proposal from one of the assistant counsel of the Liquor Control Board who made this proposal and suggestion during one of our hearings. Mr. Kenneth Makowski, who was assistant counsel to the Liquor Control Board, about a year ago when he appeared in front of our committee and I asked him why they were not more effective in the courtroom, he indicated one of the reasons was because of this automatic supersedeas. Contrary to what has been stated previously here, it is not contrary to all jurisprudence, in fact the status of the Liquor Code now is contrary to all jurisprudence because under any proceedings that I know of, an applicant is not entitled to an automatic supersedeas but must appear in front of a judicial body and establish the grounds of why he is entitled to a supersedeas.

This bill deals with many of the situations which I call the nuisance bars where the Liquor Control Board has suspended the license, has imposed the penalty and then the residents in that area cannot understand why it can continue to operate in open flagrant violation of the Liquor Code and the criminal laws of this State, continue to disrupt their lives, continue to disrupt their evenings and continue to, as I indicated, violate the law. The intent of this bill is to require them to go to court and to prove they are entitled to a stay order and not to give them an automatic stay order.

There are some licensees that are entitled to a stay order pending the appeal, but there are all too often cases where we encourage people to appeal because they get the stay order automatically. Even though they may be guilty of the violation, they can still take the appeal and they know they are going to get the automatic stay. Even if they lose it and even if it is a frivolous appeal, they know in the long run they will have a two or three year delay in the imposition of their penalty. All this does is require them to come into court and establish to a judge why they should receive that stay order.

All too often in this State we have a situation where a licensee is violating the law every night of the week and he will be cited, but the Liquor Control Board will revoke their license, and if we go into that establishment the following

night, they are doing the very same thing. That is something Senate Bill No. 615 is trying to alleviate.

Senator WILLIAMS. Mr. President, I am not sure the gentleman answered my question. However, the stay order that the gentleman is referring to is a stay from an order decided upon by a board and not a court, am I correct?

Senator GREENLEAF. Yes, Mr. President, it is an order from the Liquor Control Board. They have reviewed it and, let us say, the Liquor Control Board has decided a license should be revoked. Under this bill which, by the way, was amended yesterday, there were some concerns of the Tavern Associations about the bill originally taking out the twenty day grace period. That was an inadvertence. Yesterday the amendment did take out that provision so the licensee still has the twenty day grace period in which to seek the stay order. To answer the gentleman's question, this would be a response from a revocation, a fine or something imposed on the licensee by the Liquor Control Board. They then would appeal to the Court of Common Pleas. Under the present law, they are entitled to an automatic stay.

Senator WILLIAMS. Mr. President, I do appreciate the gentleman's desire to repeat his own opinions and maybe he does not really consent to a question and to give an answer. If he does not, let him say so. The answer to the last question was just yes or no. I just wanted to proceed to get the situation clear so I could comment. I will try again. I understand the answer of the gentleman is "yes" to the question, or the fact the stay order that he is talking about concerns a decision by a board and not a court. Is that correct and can the gentleman answer that yes or no?

Senator GREENLEAF. Mr. President, I think I have already answered the question. The bill deals with an appeal to the Court of Common Pleas and it provides that it is not an automatic stay order. They have to prove to the court that they are entitled to a stay of the decision of the board. We have to remember that before that applicant and licensee has gotten there, there has been an investigation by the enforcement bureau, the Liquor Control Board and usually the Legal Bureau has also made an investigation. They may have had an investigation or hearing in front of a hearing examiner and then they have their hearing or examination by the board itself. So, they have had more than enough due process in order to determine whether they are in violation or not.

The PRESIDENT pro tempore. Senator Williams, it is the opinion of the Chair that the gentleman has been more than responsive.

Senator WILLIAMS. Mr. President, I have no doubt that he has responded to his own ideas very well.

The PRESIDENT pro tempore. The response you are eliciting was given at least twice, that the appeal was from the board and not from a court.

Senator WILLIAMS. Mr. President, I do not want to debate that and I have no desire to think on it any further. I would like to proceed to comment.

The PRESIDENT pro tempore. I was just pointing out, Senator, that in the opinion of the Chair, the gentleman had been, as I have said, more than responsive.

Senator WILLIAMS. Mr. President, in the opinion of this Senator, he conducted a tirade, but the Chair's opinion could be right.

The PRESIDENT pro tempore. I think we may be saying the same thing. He was more than responsive, Senator.

Senator GREENLEAF. Mr. President, I was only answering his questions. When he asked me a question, I answered his question.

Senator WILLIAMS. Mr. President, I was so overwhelmed I did not pick up the subtle subtlety.

The PRESIDENT pro tempore. The gentleman may proceed.

Senator WILLIAMS. Mr. President, I was really concerned about the danger of the thinking in this legislation originally. I really assumed the offerer had some bona fide and sincere concern about a basic problem. His response of yes or no to very simple questions having to deal with just the desire of this Body to understand we are talking about a situation where a board of men, not judges, judge somebody's property called a license. The fact it was so difficult to get a clear answer on that, I could go no further. It concerns me even more that any one of us ill-informed could judge and vote on a basic concept having to deal with people's property rights just because we judge there was an investigation. They are all men, too. The only reason we ever have principles and laws in our country, and everyone is entitled to a fair shot, including us, is because someone brings some charges or someone makes an investigation. I do not know what the percentage is of people who are found not guilty or against those who are guilty or those who get money or those who do not. We have a process in this country. That means that no one can take and confiscate our property or take our freedom without due process of law.

Talking about a stay order or supersedeas from the Liquor Control Board is not from a court that decided that, we are talking about a group of people, usually men, ordinarily politically motivated and all of that. A businessman who says, "Okay, you decided that, I disagree with you and I want my day in a courtroom. I want my day under the system before I am deprived of my property." It seems to me the American principles have always been that and that is the reason the law is the way it is today. That is why it is an automatic supersedeas. It means they do not have a trial. That is a board and that is an administrative type of hearing. In the business of liquor we promote in this Commonwealth, that we make many tax dollars from, that we do not prohibit and we allow people to go in business and we make laws that we must conform to. They have a right in their business to have that judged in a courtroom. The proposal of the gentleman from Montgomery, Senator Greenleaf, is from some locked-in mentality because he suggests that somebody investigated and then someone did something and, therefore, he should be entitled to deprive all Pennsylvanians because some of them may be bad, of a right to simply be judged fairly on their property in a courtroom. Not only does that notion repulse me as un-American and unfair, but the gentleman suggests that those who may be in the business of selling liquor, some

of whom may have a lot of money and some of whom may not, and if a nonjudicial group decides they cannot function, in a couple of days or a couple of weeks they are out of business, their whole livelihood is gone.

Let us assume for the moment that the agents are incorrect and, frankly, some allegations I have heard from the sponsor of the bill indicate there are a lot of those agents who are not very honest. How does the person in business have a chance to protect himself if the law does not entitle him to a simple day in court? I think the legislation here is probably one of the most dangerous things I have seen. It might be on a subject that has some controversy to it now, but the principle says that we can willy-nilly deprive a person of property because we are on a political roll or there is some controversy. What is the difference?

Mr. President, I suggest that we cannot dislodge our system and our principles of a basic, simple opportunity to get a fair hearing under the Constitution because there may be some other kind of controversy going on. I urge the defeat of the bill and ask for support of its defeat simply and basically because it is not fair or judicious, and I would not want to establish a precedent based on such an arbitrary judgment by a group of nonjudicial people who are usually politically appointed and most often a bunch of men.

Senator ZEMPRELLI. Mr. President, I could not agree more with the two gentlemen who spoke from this side of the aisle. The gentleman from Westmoreland, Senator Kelley, essentially said we are talking about a de novo proceeding, meaning a new proceeding, an initial proceeding for the first time from an administrative board to a court of law. That is extremely significant and men have previously died for that concept. I would hate to see it eroded because of an over-reaction to certain situations that would suggest the procedure is not working. There are thousands and thousands of countersituations where great harm can be done to legitimate business people by virtue of the inability to get prompt and timely consideration of disputes that have been adjudicated by the boards.

Mr. President, if we invade the concept of de novo and the right to a supersedeas with respect to the Liquor Control Board, how then do we defend against the zoning board of "X" community wherein the same basic principle is involved, an injustice done at the board level, not only the supersedeas, but the right to have that issue determined by a court of law, timely and immediately, and to suspend the proceedings until such time as there has been such a determination simply because of the lack of timeliness? The inability to hold the proceedings at a stay still proposition for a number of days, perhaps a week, is the difference between the person being able to conduct that business or that enterprise or going down the tubes. That is the kind of thing we are talking about here when we initially deny people access to the courts where they believe they have the right for adjudication. That is what it is all about.

Mr. President, I do not believe we will be considering any legislation that has the possible consequences of Senate Bill

No. 615 with respect to its ability to traumatize what we know to be the basic rudiments and concepts of due process. It appears to be an insignificant matter to oppose certain people who may have violated Liquor Control Board laws, but I say to you, Mr. President, it is an overreaction and it is a typical and classical case of throwing the baby out with the bath water. I vehemently oppose this legislation.

And the question recurring,  
Shall the bill pass finally?

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

## YEAS—26

Bell	Hess	Loeper	Shumaker
Brightbill	Holl	Moore	Snyder
Corman	Hopper	O'Connell	Stauffer
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse		

## NAYS—22

Andrezeski	Lewis	Reibman	Stapleton
Bodack	Lloyd	Rocks	Stout
Early	Lynch	Ross	Street
Fumo	Mellow	Scanlon	Williams
Hankins	Musto	Singel	Zemprelli
Kelley	O'Pake		

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 ON THIRD CONSIDERATION AMENDED

**SB 634 (Pr. No. 1072)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for minimum terms for aggravated assault, theft by deception, rape and involuntary deviate sexual intercourse committed against persons over 60 or under 12 years of age.

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. 1 (Sec. 9717), page 1, line 18, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9717), page 2, line 1, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9717), page 2, line 3, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9717), page 2, line 5, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9717), page 2, line 7, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9718), page 3, line 19, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9718), page 3, line 21, by striking out "of total confinement"

Amend Sec. 1 (Sec. 9718), page 3, line 23, by striking out "of total confinement"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 661 (Pr. No. 972)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for enforcement agents of the Liquor Control Board.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

Senator WILLIAMS. Mr. President, I desire to interrogate the gentleman from Montgomery, Senator Greenleaf.

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

Senator GREENLEAF. I will, Mr. President.

Senator WILLIAMS. Mr. President, I would like to know whether the concept of this bill which requires Liquor Control Board agents to answer certain questions or not be able to plead the Fifth Amendment—

Senator GREENLEAF. No, Mr. President, the answer lies with the Senator's request.

The PRESIDENT pro tempore. Senator Greenleaf, Senator Williams indicates he has not completed his inquiry.

Senator GREENLEAF. I am sorry, Mr. President, I thought he had finished.

The PRESIDENT pro tempore. Senator Williams, would you please restate your question?

Senator WILLIAMS. Mr. President, the question is, is the thrust of this bill or any element in it designed to require Liquor Control Board agents to be fired or suspended if they do not answer questions based on self-incrimination or based on the Fifth Amendment?

Senator GREENLEAF. No, Mr. President, there is nothing in this bill that prohibits an individual from exercising his Fifth Amendment right.

The PRESIDENT pro tempore. Senator Williams, excuse me, if I may, the question was, Senator Greenleaf, did this bill or anything in it require suspension or firing of an agent if he did avail himself of the Fifth Amendment?

Senator GREENLEAF. Mr. President, the answer to that question is there is nothing in here to require a person to be fired just because he exercises his Fifth Amendment rights.

Senator WILLIAMS. Mr. President, on page 2 of Senate Bill No. 661, Section(3), where it reads, "In the event that any enforcement agent at any investigation involving his official duties does plead or utilize the protection of the Fifth Amend-



ment to the Constitution of the United States or Article I, Section 9 of the Constitution of Pennsylvania after having been granted immunity as set forth in clause (1) such agent shall immediately be suspended from employment." Does that mean that an exercise of the Fifth Amendment by a Liquor Control Board agent where he has been granted immunity will be suspended?

Senator GREENLEAF. Mr. President, what that means is that section deals with a case in which an agent, for example, is brought before a Federal grand jury and is given use immunity and after he is given use immunity, he refuses to testify and cooperate, he is, one, in contempt of that agency and could be prosecuted independently and, secondly, at that time he is violating the law and can be suspended by the Liquor Control Board for that action only if he is given use immunity, which means they cannot use that evidence or whatever evidence he would give during that process against him.

Senator WILLIAMS. Mr. President, does the gentleman suggest there is a violation of law because of the exercise of the Fifth Amendment privilege or because of the use immunity and, therefore, a contempt of court is involved?

Senator GREENLEAF. Mr. President, I think both are involved, but obviously the present law in this bill is modeled after what the present Supreme Court decisions provide for and, that is, if someone is given use immunity and he refuses to testify, he is in contempt of court and can be prosecuted. On that basis, he can be dismissed from his employment, especially if he is a law enforcement agent. This also only applies to official duties, it does not apply to anything else.

Senator WILLIAMS. Mr. President, the other question I have is, why does this concept apply in this instance only to Liquor Control Board agents and not to other law enforcement agencies or other agencies of State government? What is the basic reason we have an exception to single out these agents for this particular procedure?

Senator GREENLEAF. Mr. President, there are several reasons. The first is, historically this has been a problem peculiar to this agency. Ten years ago, in the early 1970's, Philadelphia had an investigating grand jury involving the Liquor Control Board agents. Several of them exercised their right to the Fifth Amendment and refused to cooperate with that investigating grand jury. At that time there were certain recommendations issued by the grand jury, particularly in regard to the investigation of these agents. Last year we had hearings and we believe approximately eight of the agents in the Philadelphia District also took the Fifth Amendment before a Federal grand jury. Of course, several of them also did the same in front of the Senate Committee on Law and Justice. It has been a problem peculiar to the Liquor Control Board and that is why it has been addressed specifically in this legislation to those particular agents.

Senator WILLIAMS. Mr. President, do I understand the gentleman is suggesting he is not familiar with the fact this has also been true with police officers, especially in Philadelphia, and other State officers and, indeed, some political officeholders and, across the board, in many, many walks of offi-

cial life in the last several years? Do I understand the gentleman is suggesting he has only heard about problems in the Liquor Control Board and is not aware of the other problems in other agencies in other official capacities?

Senator GREENLEAF. Mr. President, of course I have not said that at all. I have the Supreme Court cases in front of me which deal with New York police officers and Philadelphia police officers where it has been a problem. My particular focus has been in this area. I think it has been particularly acute in this area and that is why we have addressed this problem here. If the gentleman seriously considers that it is a problem, I would suggest he could address that by separate legislation.

Senator WILLIAMS. Mr. President, I have finished my interrogation.

#### CONSTITUTIONAL POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Philadelphia, Senator Williams, will state it.

Senator WILLIAMS. Mr. President, I would like to raise a question of constitutionality with regard to the legislation which obviously points to just one class of employees and those are the officers of the Liquor Control Board. Whatever does or does not apply with regard to pleading the Fifth Amendment and the extension of immunity and all that, the legislation seeks to address only one class of people and that is Liquor Control Board officers or agents. I would suggest that under the Pennsylvania Constitution and the United States Constitution that class has discrimination connected with it because it does not include a class of officers or employees so similarly situated. Therefore, it imposes upon an agent of the Liquor Control Board or deprives an agent of the Liquor Control Board of equal protection of the laws of this State. It seems to me that if one works as a police officer in Pennsylvania, if one works as an investigator in PennDOT with similar duties in Pennsylvania, if one works in an official capacity around the House or the Senate of a similar nature, and we are relieved of that particular law, then there is discrimination in the law, an unequal protection in the law. Therefore, I suggest, in urging a question of constitutionality, that to apply this only to Liquor Control Board agents imposes on them a heavier situation and deprives them of an equal, probably lighter, situation and, therefore, it constitutionally would be infirm because of an unequal application of the law.

Mr. President, I ask you for a ruling on the constitutionality of Senate Bill No. 661 based on my comments of the lack of equal protection and an improperly designated class.

The PRESIDENT pro tempore. Under the Rules of the Senate in Section III, Duties of the President, more specifically under sub-paragraph (h) of Section III it states, "...He shall submit points of order involving the constitutionality of any matter to the Senate for decision. Questions of order submitted to the Senate may be debated."

The question before the Senate, having been called by the gentleman from Philadelphia, Senator Williams, is, is the bill that is presently before the Senate constitutional?

Senator KELLEY. Mr. President, just having a few moments to reflect upon the basis of the constitutional point of order made by the gentleman from Philadelphia, Senator Williams, I tend to believe it has very serious merit. On what basis may we or anyone say that is a standard of conduct, and that being the exercise of our constitutional right in giving use immunities, that we may pay a price therefore by jeopardizing our employment, whenever the law enforcement personnel in a general category, not of the Liquor Control Board, would not be so affected by the legislation? I believe the gentleman's constitutional point of order is most cogent if there is going to be any serious reflection by this Body to adopt a policy within the Commonwealth. The gentleman from Montgomery who conducted the hearings has brought out an experience factor in this regard by the Liquor Control Board agents. The remedy constitutionally must not and cannot be addressed only to the Liquor Control Board agents but rather to those in the general category of law enforcement. Therefore, I would urge an affirmative vote supporting the constitutional point of order, that it is out of order and that it is not constitutional.

Senator SCANLON. Mr. President, would you kindly restate the question?

The PRESIDENT pro tempore. The question before the Senate is the constitutional point of order raised by the gentleman from Philadelphia, Senator Williams, that Senate Bill No. 661 is unconstitutional in that it violates the Pennsylvania Constitution. Those voting "aye" will vote to sustain the point of order thereby declaring Senate Bill No. 661 unconstitutional. Those voting "no" will vote the point of order is not well taken and thereby declare the bill is constitutional. The gentleman from Westmoreland, Senator Kelley, was absolutely correct in the way he phrased his argument.

#### LEGISLATIVE LEAVE

Senator SCANLON. Mr. President, I request a temporary legislative leave of absence for Senator Lincoln.

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

And the question recurring,

The PRESIDENT pro tempore. So there will be no misunderstanding, those who vote "aye" vote that Senate Bill No. 661 is unconstitutional. Those who vote "no" vote the gentleman's point is not well taken and Senate Bill No. 661 is constitutional.

Senator WILLIAMS. Mr. President, very briefly on constitutionality, I will just comment that my experience has been, and I am sure the experience of the other Members, too, in matters of this kind when the constitutionality is raised, that usually whatever side we are on, we vote that way anyway. I would just like to add this idea to that after having presented the legal points.

If this bill is intended to correct any evil, and I do not disagree with the concepts, and then it turns out to be unconstitutional, what, indeed, have we done but to fool ourselves and leave what is supposed to be an evil problem still in being. I am only suggesting that obviously it should be of some concern that this may be unconstitutional because of the selectivity of the discrimination. I have tried to mention the concepts on that and I am sure the Members all appreciate them and are aware of them. To buttress the seriousness of a constitutional judgment one way or the other, whatever side we are on, we all want to correct the problem. It would not be nice to come back and let this become law and to find out three years down the pike we did not solve the problem and we just swept it under the rug. I would just hope that on the constitutional question, whatever the Members seriously think, that they would vote that way.

Senator GREENLEAF. Mr. President, I would submit, of course, the bill is constitutional. It deals with a broad enough class in covering the agents of this agency. I think there has been legislative record established that would justify its enactment. I would also refer the Senate to two of the United States Supreme Court decisions of Gardner vs. Broderick, and Uniformed Sanitation Men Association vs. Commissioner of Sanitation of the City of New York. They indicate these bills were very closely drafted according to and along the guidelines of these two decisions. True, they did not directly deal with this particular issue about the classes, but they did not say anything in the decisions which would indicate we would have to include all State employees. I feel this class that we are dealing with here is sufficiently broad enough to meet the constitutional test.

Senator WILLIAMS. Mr. President, very briefly and finally, this bill, for whatever reason, to go into one agency on a very heavy concept seems to me a bit short-sighted, if not somewhat vindictive. If we assume we have to root out law enforcement people who may either be doing something illegal or who do not want to answer questions or whatever, I would say to the gentleman let us make that apply across the board to include policemen and other areas of government. The answer I hear is, "Well, Senator Williams, you do that." I think that just begs the question. We have a fundamental problem where people in certain positions in this State are not really believed to be honest or what have you. I am just saying if this effort is a serious effort to make people honest, to make people accountable, to establish a standard—

#### POINT OF ORDER

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

The PRESIDENT pro tempore. The gentleman from Blair, Senator Jubelirer, will state it.

Senator JUBELIRER. Mr. President, my point of order is that the gentleman is out of order on the issue of constitutionality which is before the Body. I think he is debating the actual demerits of the bill and I have tried to give the gentleman as much leeway as possible hoping he would come around to the constitutionality but I do not think he has, and I would suggest that is the only thing before us at this time.

The PRESIDENT pro tempore. Senator Williams, please confine the balance of your remarks to the issue of constitutionality.

Senator WILLIAMS. Mr. President, the gentleman is absolutely correct. I thought we had just passed that constitutional point.

The PRESIDENT pro tempore. The constitutional point is still before the Body and a roll call will be taken on that issue.

Senator WILLIAMS. Mr. President, I understand. I had one of those omissions. I will just submit my last comments for the comments after the question of constitutionality, which is where they belong.

The PRESIDENT pro tempore. The gentleman seems very pessimistic. Remember those voting "yes" vote to sustain the gentleman's position that the bill is unconstitutional. Those voting "no" vote that the gentleman's point is not well taken and that the bill is constitutional.

And the question recurring,

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

YEAS—23

Andrezeski	Lewis	O'Pake	Stapleton
Bodack	Lincoln	Reibman	Stout
Early	Lloyd	Rocks	Street
Fumo	Lynch	Ross	Williams
Hankins	Mellow	Scanlon	Zemprelli
Kelley	Musto	Singel	

NAYS—26

Bell	Hess	Loeper	Shumaker
Brightbill	Holl	Moore	Snyder
Corman	Hopper	O'Connell	Stauffer
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse		

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

The PRESIDENT pro tempore. Less than a majority having voted in favor, the bill is constitutional.

And the question recurring,  
Shall the bill pass finally?

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

YEAS—26

Bell	Hess	Loeper	Shumaker
Brightbill	Holl	Moore	Snyder
Corman	Hopper	O'Connell	Stauffer
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse		

NAYS—23

Andrezeski	Lewis	O'Pake	Stapleton
Bodack	Lincoln	Reibman	Stout
Early	Lloyd	Rocks	Street
Fumo	Lynch	Ross	Williams
Hankins	Mellow	Scanlon	Zemprelli
Kelley	Musto	Singel	

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 ON THIRD CONSIDERATION AMENDED

SB 703 (Pr. No. 791) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for certain fiscal training for managers or certain employees.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 599.1), page 2, lines 3 through 15, by striking out "The ordinance shall specify that the manager" in line 3, all of lines 4 through 14 and "township." in line 15

Amend Sec. 1 (Sec. 599.1), page 2, by inserting between lines 25 and 26:

(d) The manager or any other employe charged with administration of the fiscal affairs of the township shall be trained in municipal fiscal practices within one year of his employment. The township shall be responsible for the cost of training. For purposes of training, seminars or programs conducted by the Department of Community Affairs shall be deemed acceptable. Such courses shall include basic budgeting and either municipal accounting or municipal bookkeeping. Noncompliance with the training requirements on the part of the manager or any other employe charged with administration of the fiscal affairs of the township shall result in termination of employment with said township.

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 third consideration, as amended?

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

Amend Sec. 2, page 2, lines 26 and 27, by striking out "The amendments to section 599.1 shall also apply" in line 26 and all of line 27, and inserting: The amendments to section 599.1(a) shall apply to township managers and fiscal officers who do not have at least five years experience as a municipal manager or fiscal officer and to those who are appointed as a manager or fiscal officer after the effective date of this amendatory act who do not have the five years experience.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 855 (Pr. No. 965)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending "The Land and Water Conservation and Reclamation Act," approved January 19, 1968 (1967 P. L. 996, No. 443), reappropriating lapsed funds.

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	Mellow	Shumaker
Bell	Hopper	Moore	Singel
Bodack	Howard	Musto	Snyder
Brightbill	Jubelirer	O'Connell	Stapleton
Corman	Kelley	O'Pake	Stauffer
Early	Kratzer	Pecora	Stout
Fisher	Kusse	Reibman	Street
Fumo	Lewis	Rhoades	Tilghman
Greenleaf	Lincoln	Rocks	Wenger
Hager	Lloyd	Ross	Williams
Hankins	Loeper	Scanlon	Wilt
Helfrick	Lynch	Shaffer	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.

**SECOND CONSIDERATION CALENDAR**

BILLS OVER IN ORDER

**SB 161, HB 166, SB 199, 200, HB 379, SB 455, 474, 495, 610, 616, 641 and 642** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

BILLS ON SECOND CONSIDERATION AMENDED

**SB 713 (Pr. No. 811)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 12, 1943 (P. L. 259, No. 120), entitled, as reenacted and amended, "Foreign Casualty Insurance Premium Tax Allocation Law," requiring treasurers to make payments within 30 days of receipt of State moneys to the pension or retirement fund.

The bill was considered.

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

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

Amend Title, page 1, line 11, by striking out "30" and inserting: 60

Amend Sec. 1 (Sec. 2), page 1, line 21, by striking out "thirty" and inserting: sixty

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?

It was agreed to.

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

**SB 714 (Pr. No. 812)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1895 (P. L. 408, No. 289), entitled, as amended, "Foreign Fire Insurance Premium Tax Allocation Law," requiring treasurers to make payments within 30 days of receipt of the State moneys for relief or pension associations.

The bill was considered.

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

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

Amend Title, page 1, line 12, by striking out "30" and inserting: 60

Amend Sec. 1 (Sec. 2), page 2, line 13, by striking out "thirty" and inserting: sixty

Amend Sec. 1 (Sec. 2), page 2, line 25, by striking out "thirty" and inserting: sixty

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?

It was agreed to.

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

BILL OVER IN ORDER

**SB 779** — Without objection, the bill was passed over in its order at the request of Senator JUBELIRER.

BILL ON SECOND CONSIDERATION AMENDED

**SB 780 (Pr. No. 906)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," providing for the release of the mailing list for the Pennsylvania Game News.

The bill was considered.

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

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

Amend Sec. 1 (Sec. 309.1), page 2, line 28, by inserting after "to": only

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?

It was agreed to.

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

#### BILLS OVER IN ORDER

**SB 788 and 853** — Without objection, the bills were passed over in their order at the request of Senator JUBELIRER.

#### BILL ON SECOND CONSIDERATION

**SB 879 (Pr. No. 1033)** — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of (P. L. , No. ), entitled "An act providing for the capital budget for the fiscal year 1983-1984," itemizing furniture and equipment projects to be acquired by the Department of General Services, together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be acquired by the Department of General Services; stating the estimated useful life of the projects; and making an appropriation.

Considered the second time and agreed to,

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

#### BILL SIGNED

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

**HB 5.**

#### RECESS

Senator JUBELIRER. Mr. President, at this time I request a brief recess of the Senate for the purpose of a Republican caucus to begin immediately in the Rules Committee room at the rear of the Senate Chamber. We expect to meet for about fifteen or twenty minutes.

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

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

Senator JUBELIRER. I will, Mr. President.

Senator ZEMPRELLI. Mr. President, I would preface my question by indicating that a lot of the Members have been here since very early this morning and some have indicated

they would like to make some arrangement for dinner. I ask the gentleman whether he has any idea when he expects to return to the floor?

Senator JUBELIRER. Mr. President, I made that statement, when I asked for the recess, that it will be fifteen or twenty minutes.

Senator ZEMPRELLI. Mr. President, if the gentleman suggests they will be back in fifteen to twenty minutes, then I guess we have to live with that.

Senator JUBELIRER. Mr. President, I say to the gentleman that it is that time of the year.

The PRESIDENT pro tempore. For the purpose of a Republican caucus, the Senate is in recess.

#### AFTER RECESS

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

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

#### LEGISLATIVE LEAVE

Senator ZEMPRELLI. Mr. President, I request a legislative leave of absence for Senator Scanlon who had to meet with certain constituents at a designated hour which conflicted with this Session.

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

#### SUPPLEMENTAL CALENDAR

##### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

##### SENATE CONCURS IN HOUSE AMENDMENTS

**SB 527 (Pr. No. 1070)** — The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

Senator JUBELIRER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 527.

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

Senator CORMAN. Mr. President, there is a saying that I guess we are all familiar with. It goes something like, "Every time things change, everything seems also to be the same." I

guess there is always *deja vu*, have I not been here before? I think that is probably true. It is most likely the same situation as when I was here before in 1977. At that time we were trying to pass what most of us thought was a bad budget, a much larger budget than what was required to satisfy what many of us thought were the needs of State government. At that time, the game plan, specifically, was to hold the nonpreferreds hostage so that, in fact, we could pass that big, bad budget and we would finally find the dollars to fund it because we would hold hostage the nonpreferreds to get that accomplished.

Mr. President, here we stand several years later and it seems as if we are in that same position. I have been assured that is not the game plan this time. The Governor has said to me that he does not play that kind of a game and he does not intend to hold anyone hostage to try to fund the budget. I do not know where I go with that kind of information. I have not been assured that, in fact, the nonpreferreds will not be held hostage. Then I try to look at the bill itself and I think what is the responsible thing for me to do, to vote on this bill and to encourage other people to support it, or should I vote against it and encourage other people to vote against it? Certainly, I do not think it is a responsible piece of legislation. I really think there is probably not a soul in this Chamber who would vote for this budget and, in turn, vote for all the taxes it would take to fund it. I would be shocked if there was. I do not think there is anyone in here who really thinks this total piece of legislation is a responsible General Fund budget we should be passing to fund State government. Where do I go with that? I have been assured that the Governor is going to blue-line out sufficient amounts from this budget so it will be pared down to an appropriate level for State government and then we can fund it. Once again I am stuck. In the process of doing that, how do we keep the nonpreferreds funded and fund the State budget?

Mr. President, I must say to the Members, I am certainly in a dilemma. I do not know that answer. I do not know how we can vote for this budget with the assurances that we are doing the proper thing, the responsible thing to continue to fund State government. If I vote against it, I am holding a whole lot of other people hostage, those who are expecting and need welfare checks, those people who work for State government, those who work in the prison system and those who work right here in Harrisburg in the State hospitals. They certainly want their checks. I would certainly like to see them have their checks. That means we are supposed to pass the budget. My goodness, I do not know where to go. I feel like some of our Senators in the past who seemed to have surrounded the issue and when they finally get finished, they wonder what the point was they are making. I guess the point I am trying to make is that I am stuck with nothing here but a whole bunch of bad decisions. I am not sure which one is the proper bad decision I should be making. I guess after having said all that I am probably going to vote for this bad budget, as much as I find it very unpalatable to do that, in hopes that, in fact, the Governor will blue-line out the appropriate amount and will

not make this *deja vu* 1977 all over again, where we strangled our institutions of higher education and cost them many dollars in trying to perform the functions they are doing very well for us in Pennsylvania.

Mr. President, I guess I am really making all these comments out of frustration and anger. As smart as we are supposed to be to serve in the General Assembly of Pennsylvania, every so often we get ourselves boxed into this corner or we paint ourselves into that corner where we cannot seem to get out in any commonsensible way of getting it accomplished. I felt I had to make these comments. I am angry. I am frustrated. I am very disappointed that, as adults elected to represent our people, every so often we do such a bad job that we really do not have good decisions to make. We are stuck with trying to make the best possible bad decision.

Senator JUBELIRER. Mr. President, I listened very carefully to the most sincere words of the gentleman from Centre, Senator Corman. They obviously came from the heart and were not meant to be anything but an expression of frustration which, I think, he is correct in observing in each and every one of us, as we all wrestle with a most difficult situation.

Mr. President, the paramount concern of recent weeks has, indeed, been the adoption of a budget by the constitutional deadline to prevent a budget crisis and provide for the uninterrupted operation of State government. Earlier, this Body passed a spending plan which we hoped would serve at least as a budget vehicle. That plan included what we think was a responsible level of spending for existing programs. It was a means of addressing an immediate unemployment compensation problem—a very serious problem as we all know in this Body—and some modest measures aimed at job training and economic development. In so doing, we openly acknowledged on the floor of this Senate that new revenues would be needed to fund this budget and that appropriate measures would be forthcoming when a spending level was agreed upon. However, it is now June 29th and in just a little over three hours it will be June 30th and, in less than twenty-four hours, we face a real crisis. That document which we passed here still remains before the House of Representatives. Instead, we have before us a budget featuring a tremendous unfunded program far beyond what we adopted in this Body. It requires huge new taxes. As a matter of fact, it exceeds \$1 billion, which would be the largest tax increase ever in Pennsylvania's history.

Mr. President, as my friend, the gentleman from Centre, Senator Corman, still agonizes over the very difficult choices he has to make, as we do here, we know that our choices are narrow and they are narrowed down to two. We can concur in this budget and send a bill to the Governor which I and Members on this side think will require extensive blue-lining, line-item vetoes, and we call upon him to do so, or we could reject it as perhaps was expected of us by the House of Representatives with the likelihood of an extended stalemate lasting well into the summer and with the potential of a repeat of that onerous summer of 1977 when, as the gentleman from Centre, Senator Corman, has well said, welfare people did not get

their checks, State employees were not paid and nonpreferred appropriations of our hospitals and our great universities were held hostage as a final settlement. This was a disgrace and a sham to all the people of Pennsylvania, and we up here, I think, did not place ourselves in a very great light.

Mr. President, neither option is particularly attractive, but I think the latter would also be irresponsible and, yes, far more irresponsible. It would do the citizens of this State a significant injustice if we do not avail ourselves of any means of preventing a budget crisis, the likes of which could cause great hardship. Since January, Members of both parties have consistently stated their intention to avoid a replay of 1977. I believe our caucus has made every effort to live up to those words. By voting to concur in the House amendments, let me make it as clear as I can for the benefit of this Body and for anybody listening in the news media in the back, by voting for the House amendments we do not indicate that we favor the magnitude of expenditures or necessarily the spending priorities contained therein. Let there be no doubt about that statement. We call upon the Governor of this State to make spending reductions to bring the budget in line with anticipated revenues as is his constitutional responsibility. We also note that we take this action not as an indication that the revenue is there to support this because it assuredly is not there. We will insure that government continues to operate.

Mr. President, for those concerned about the economic health of this Commonwealth, surely there can be no higher priority than a timely budget as a major consideration for the industries, the financial analysts and the Wall Street people who lend us money and look closely at how we run State government here in this Commonwealth.

Mr. President, this action will not bring down the curtain on discussion of spending and taxing for this fiscal year. We recognize that full well. We believe it will protect the citizens of the Commonwealth and, therefore, as we use that word "responsible," which all of us have used from time to time, and we like to say we do the responsible thing or we do not do the irresponsible thing, and the comparisons and the choices that are available to us in just a little over twenty-four hours, I suggest that this caucus is, indeed, ready to do the responsible thing and concur in those House amendments while calling on the Governor of Pennsylvania to exercise his responsibility and bring this budget into line with revenues and exercise his blue pen in the most appropriate responsible manner.

Senator ZEMPRELLI. Mr. President, I have now been in the hallowed Chambers of this fine Assembly on both sides of the aisle, and I will say that I am always amazed at what I hear and what I see done. Perhaps that is the charm of it all, because every day is a new experience. I must take deference with the gentleman from Centre County who attempted to paraphrase the matter by saying the more things change, the more they stay the same. How wrong that is. Because if I understand what is going to happen in this Chamber tonight, it will be the first time in the history of this Commonwealth that a Democratic Majority in the House supplied all the votes to pass the same budget that was supported by only the

Republican Majority in the other house. If my prognostication is correct, it will be all the Republicans supporting this budget and all the Democrats voting to nonconcur. To that extent, Mr. President, things are much different. Then to hear the Majority Leader suggesting it is with a great deal of agony I am sure, when he votes "yes," he does not really mean it, because the Governor is going to blue-line this budget, it is like trying to understand whether one is pregnant or not, or maybe just a little bit pregnant.

It is assumed when we vote "yes," we support the measure that we are affirmatively voting for. If we are sending a message to the Governor to veto or otherwise blue-line this bill, meaning to cut out the programs that were in good intent a part of this bill, then are we acting in a form of deceit. To suggest to the people out there that when there is no revenue measure and that all the things that are to follow will be financed or, truly, are we going to be confronted with the identical situation we had in 1977? I can appreciate the difficulty with which the gentleman from Centre, Senator Corman, advanced his position and, quite frankly, I am not sure what that position is. But at the end of that rainbow is the appropriation for Penn State University, the University of Pittsburgh, Temple University and the University of Pennsylvania, and there is no question that the inability to identify funds in this budget will carry this spending program down once the revenue estimates are determined. They will be hanging out there, brother. They will be hanging out there because there is going to be a weeping and a gnashing of teeth when it comes to determine what those tax measures will be to finance, not only this budget as cut down—and the gentleman is telling me it is going to be cut down—and that makes a lot of difference about how I might otherwise feel about this budget.

Mr. President, would not the fair thing be to bring the revenue proposal forward?

What did the Governor mean at about 6:00 p.m. today when he issued this press release: "Thornburgh branded as unacceptable a House Democrat budget proposal which passed the State House yesterday along party lines?" Am I wrong or is this the same budget we are going to concur in tonight? And what did the Governor mean? Is he not correct when he said it calls for the imposition of an unprecedented tax burden, it fails to even address the unemployment compensation problem, it mandates the closing of Pennsylvania's foreign trade promotion offices and it creates a series of costly new spending programs?

Mr. President, if I understand the blue-line procedure, the Governor has the power to delete but he does not have the power to add. If he is sincere about the items he speaks about in terms of unemployment compensation, and at this point I am vexed because, with all due respect to the President pro tempore of this Chamber, he was the person who was demanding the unemployment compensation problem be resolved as a part of this budget and there were many of us who agreed with him, that we are looking at \$34 million as an integral part of resolving probably the biggest problem this

Commonwealth has and this budget does not even begin to address that problem. Do we pass this under the rug simply because of the matter of expediency and because somebody is going to use a blue pen? Did the Governor mean what he said and does it not have any meaning to his Majority in the Senate when he says all of this sends the absolute wrong signal to the business investment community that we have been courting and rely upon to create jobs for our working men and women? The reference here is not to an appropriation. The reference here is to the absence of an appropriation for unemployment compensation, for the closing of foreign trade promotion offices and those monies that would create a series of what has been classified as costly new programs.

Mr. President, we are going through a sham here tonight. This bill should be in a Committee of Conference and everybody here knows it. If it takes until September to resolve this issue, so be it. Do we shortchange all the people of the responsibility of what our office dictates in terms of satisfying the needs of people so that everybody can live in dignity in this State and can this State be a better State, an improved form of life, or do we fall into the same pattern of the "Mickey Mouse" solution to the problem by sending a budget to the Governor with the hope that he will delete the programs and finance this out of the present revenues and leave the nonpreferreds high and dry? If that is not the case then I call forth this moment for the projected program as to how this will all be pulled together so that we can put the heart of the gentleman from Centre, Senator Corman, back at peace and understanding, so that when he returns to Centre County and the trustees at that school will know where the money is coming from in this critical time of need when we are talking about tuition increases. The boys at Pitt and the boys at Temple would like to know that and I am sure at Penn and all the State colleges that are so vitally affected they would like to know that. They dream bad nightmares about the eventuality of what is happening here tonight being a reality.

Mr. President, these are serious concerns. Expediency is not the answer, responsibility is. Everything the Majority in this Chamber is doing tonight is totally irresponsible. We as a Democratic Minority in this Senate will be here and stay here until it has been resolved in the procedures that our forefathers believed this budget process should be solved within.

I am extremely disappointed in the fact that the Majority Leader would suggest he is voting for a measure here that he does not believe in and he is asking the Governor to use a sharp surgical tool with which to remove the programs that sent this budget to us in the first instance. I am going to make a prediction, Mr. President, that the revenue measures here, in terms of numbers, fall out to be just about the same in shortage that is necessary to fund the nonpreferreds. The pressures are going to be brought to bear to bring this assembly to vote for taxes they otherwise would not vote for. That is the scenario and we simply do not buy it.

Senator STAUFFER. Very briefly, Mr. President, the step we take tonight is but one, albeit a very, very important one, in the most important process that takes place in State govern-

ment. In my judgment, all of us who are elected officials, whether it be the Governor or the Members of the General Assembly, have a major responsibility. We use the word "responsibility" sometimes very loosely. I use it very seriously. We have a responsibility to the 12 million people of Pennsylvania to govern, to make government work. The budget process is probably the most important ingredient in the governmental process as far as the people of this Commonwealth are concerned. If we do our job in a timely fashion, the wheels continue to turn. If we fail, we put a severe hurt on many people in all walks of life. The process in which we must operate is one that is a political process. The result of the political process is that often we have some very unusual twists and turns in the road or the path that we follow to get to the ultimate decision. Nevertheless, in order to effectively and responsibly do our job, we have to look to paths that sometimes have unusual twists and turns. Maybe the 1983-84 budget process has one of those twists and turns in the path.

Mr. President, what we are doing tonight is guaranteeing the people of Pennsylvania that we can govern and that we can get the job done. There is no sham involved in this at all because we are clearly stating we do not buy, on this side of the aisle, a great big spending program with a huge tax increase but, rather, that we want moderation in the fiscal affairs of government because we know that is what the people of this Commonwealth want. So we are saying, yes, we are going to pass this because it is one of the unusual twists that we have to take, but in so doing we are also saying that we want those figures cut and reduced so they will fit into the kind of fiscal program that we do support and that we know the people of this Commonwealth support. I would say, Mr. President, that I would recommend to my very good friend, Governor Dick Thornburgh, that he look at the vote that is going to be cast here in this Chamber tonight and recognize that that vote is sending forth a message that this group solidly is saying we want to be responsible, we want to get the job done, we want a fiscally prudent program, and rather than be mousetrapped into some kind of a program that will force us into expenditures way beyond what we want, what we want him to do is to work with us to guarantee that kind of program by vetoing the surpluses in this legislation and signing a bill that will meet that goal.

Senator WILLIAMS. Mr. President, not being a Member of leadership and being removed from all the negotiating factors that made us hope that those in leadership will work hard to achieve, my comments come from that point of view. The gentleman spoke about governing as it relates to Senate Bill No. 527. I would like to say to the gentleman I do think that we, as Senators and Legislators, have our own specific responsibility to govern and as I understand it, that is to propose a budget and fund that budget and then to have a Governor do what he has to do in relationship to that.

I hear a lot of sad songs about welfare and, frankly, tonight I do not think anybody in here is really worried about the welfare people or the other people we have talked about. The



proposal that is coming from the voices on the other side of this Chamber are saying one thing. They are saying that we as Senators and Representatives cannot do in government what we are supposed to do. Therefore, we are asking and beseeching the Governor to do our job. It is just not the job of the Governor of this State under the Constitution to do that job. Whether we call it blue-lining, meeting within the budget, whatever we call it, it is our responsibility to adopt and pass a budget and to raise the revenues to support that budget.

I have to candidly observe that a plan which says we support this bill, this budget, in the hope that the Governor will execute his obligation and, therefore, decide what he thinks should go in and out, is absolutely 180 degrees irresponsible. It says that men and women in the House and the Senate cannot do what is politic, and that is to hammer the heads back and forth until we achieve what we need to achieve. I am not sure what is in Senate Bill No. 527 that I am all that opposed to, give or take a little. At the same time, if I vote for a budget, I will also vote for what is necessary to fund that budget.

How can we send a piece of paper that we are opposed to to the Governor without any mechanism for funding in the hope he will do the job we want him to do properly, whatever that job is? It is just beyond me that that is anything other than a ploy, a ploy perhaps that some people have privy to what the mechanism is supposed to be. Maybe the Governor is supposed to put out this release denouncing this budget. I have not heard him denounce any others. Maybe the Senate Republicans are supposed to respond by saying this is all so terrible as we posture in public and say, then let the Governor do what is supposed to be responsible, as though he is a knight on a white horse. I say to the Members that facade just does not wash. Very simply, it is not his job. Very simply, it just says to the public that we are so irresponsible we will not even try to do our job and hope the public will buy that. We all know about the people we call hostages. That is not very responsible either way, even to take a chance on whether they would be held hostage or not.

I had an understanding for several weeks this budget was going to be kind of difficult but maybe we are getting close and will work it out and we will pass it on time. In any event, I have clearly understood that maybe it had to go to the Committee of Conference to hammer that out. As far as I know, we in the General Assembly have proposed two budgets. Each budget calls for substantial increases in revenue. The Governor does not have on his desk the Republican budget which also calls for difficult increases in revenue. So, it is not the fault of anybody. We are going through that process right now. I had hopes, as one Member of this Chamber that, indeed, it would go to a Committee of Conference if it could not be worked out, and they would hammer it out there. The Governor would then get something from the Committee of Conference. What we have here is an anomaly. I find it really strange and irresponsible to participate in what is really a stopgap budget. We have the power to offer that, too. We are going to say, let the Governor, with existing revenues, decide

what it is. If we are so worried about the people who need checks in the interim and that conflicts with the concept that we do not pass stopgap budgets, that is what we are doing now.

To send this budget to the Governor, one single person to live within a framework of existing revenues, we can do that, we can do it ourselves. I think if that is really where we are and if we are really concerned about the interim, that is the only responsible thing to do to respond to that. In the long run, to endanger the schools, the colleges and all of those other people we all know need money, and who we respect very well, to do it this way and to create a lot more acrimony than would be created in hammering out the budget in the Committee of Conference just seems to me not to be smart, not to be political, not to be successful, not to be governing one iota, but only to put our heads in the sand in the hope we can duck some bullets.

Senator ANDREZESKI. Mr. President, I only regret this week that I do not have my former logic professor from Gannon College, Father DiPre, with me because I was quite befuddled only momentarily when I heard the Majority Leader explain they were voting "yes" to say "no." I was quite relieved when the Minority Leader grabbed the microphone and did not say we are voting "no" to say "yes."

Mr. President, I support many of the programs and many of the concepts put forth in this budget. They are good programs and they are good concepts, but there are exceptions. We cannot afford in our government the former luxury of being all things to all men, but we have to meet the needs of a changing industrial State. These needs have to be addressed, not blue-lined, line-item vetoed or hope to be blue-lined even before the vote is taken.

We can vote money for every interest group and for every program, but we also have to vote on the revenue measures to fund not only these proposals but also the revenue shortfalls that have finally come to life, because somewhere down the line we have to answer for the fact of raising the money. Somewhere down the line we, as representatives in the General Assembly of Pennsylvania, have to start answering to an ever decreasing taxpaying population in Pennsylvania. We have to answer for an ever increasing cost of government. We do not have an answer on how we shall finally finance this program. Are we going to finance it by taxing paper products, by taxing a drink over a bar or a candy bar bought at a store or are we going to take the personal income tax and raise that? Voting is easy, saying "yes" to everything is an easy way to go. What is hard is saying how we are going to finance it.

Mr. President, I support the concepts contained here but I am going to stand here and cast my vote "no," not meaning "no" as maybe and not meaning "no" as partially or not meaning "no" as "yes," but meaning "no." I am not going to take part in a program that does not even show the citizens of this State how we plan on taxing them to do it.

Senator KELLEY. Mr. President, if the best has been advanced to urge us to support passage of Senate Bill No. 527, I believe it is unworthy of the individuals and the party they represent.

Mr. President, first we had the gentleman from Centre County, Senator Corman, who stood up and said he was assured that blue-lining would be coming, but he described the entire bill and the options as being a whole bunch of bad decisions. Then the gentleman from Blair, Senator Jubelirer, got up and complimented the gentleman on the sincerity with which he said that, among other things. The gentleman from Blair said it was most difficult. He said we only have two choices to make, one is to go along with the extended blue-lining and the other is to reject this and go into an extended state of negotiations. He chose the former as a "yes" vote because he tried to recall 1977, but the parallels are not the same and they are not applicable.

In 1977 when we passed the budget, there were enough revenues to pay for it. The Governor did not have to blue-line to meet revenues. Here we are talking about much, much money, a half billion dollars at least, that the gentleman from Philadelphia described as an abdication on our part to the Executive Branch. May I remind the Members that giving him power is not only an abdication on our part, but it is an insult to us because it is his branch that caused the great deficit we have. I will be darned if I want to participate in giving someone more responsibility and power and authority when he caused the problem. They may, we will not, because we feel not to do that is the responsible thing.

Mr. President, I would like to suggest the gentleman from Chester talked in terms about the course of getting places with twists and turns. Again he talks in terms that we can govern. Is it so sacred that we have a budget by July 1st even though it is a sham, as the gentleman from Philadelphia and the gentleman from Allegheny said? What is so sacred about the shallow form without substance that was brought about because we abdicated and failed to perform our responsibility? What about the course of having other kinds of temporary fundings while we do our job?

Mr. President, it is unworthy of the gentlemen who have spoken in support of this. It is unworthy of the Republican Party, as we often refer to them as the loyal legions of Lincoln. I think if Abe could look down from the mural up here and know what was going on, he might be embarrassed as I am because of the shallowness and the irresponsibility of it. It is not magical. It is not sacred to have a budget in form. It is our duty to have a budget in substance that is responsible and that we know at the time what the funding sources are going to be. That is where we are failing. Those who choose the easy road, not the twist or the turn, but the path of least resistance, are going to continue the dissemination of the people's confidence in this government of Pennsylvania. I say it is much different than 1977 and what we are doing today is a political sacrilege.

Senator LEWIS. Mr. President, as have my colleagues, I have listened with great interest to the comments that have been made with respect to the issue of the budget as it is now before us. As have some of those who have preceded me in the comments this evening, I feel compelled to share observations about the justifications that have been offered in support of

the actions that are anticipated as well as to reflect on some of the other circumstances that have preceded our gathering here this evening. As I do that, I continue to be confused and wonder whether my colleagues on the other side of the aisle think their obligation tonight is to convince us or themselves that what they are doing can some way be isolated into a vacuum because that is certainly what they seem to be suggesting.

Mr. President, they are talking tonight about passing a spending plan and couching it in glowing rhetoric while, at the same time, totally avoiding anything more than the most cursory passing commentary about the obligations for the increasing of taxes that will naturally follow the spending plan they tell us they are going to adopt. I listened to the gentleman from Centre, Senator Corman, reflect about the possibility of *deja vu* as he talked about 1977. As I look across this aisle and hear the commentary tonight, I am beginning to wonder if we are not, in fact, in 1977, because it seems to me the Members of the Republican Party who suggest they are going to vote for this budget bill tonight continue to try to justify their actions and their attempts to run away from a problem in the same fashion as they did in 1977 when they were in the Minority and had no particular commitment or concern about the responsibility of a budget or the economic circumstances of this Commonwealth because that, in fact, is going to be the same consequence if they continue to maintain the posture of supporting this bill. What tortured reasoning we have been subjected to tonight, as we have heard them attempt to excuse actions that are totally abdicating the obligations of the legislative process while talking about prudence, about obligations to govern and about responsibility. I will tell you, as I listened to those things, there can be no doubt in my mind nor do I think in those of any others who are familiar with this process, that this is not governing. What they are talking about doing tonight is nothing more than silliness. It is simply an expediency to try to create an excuse to run away from the Capitol tonight, to duck and dodge the true obligations of providing a real budget for Pennsylvania and to throw the obligations to do that not only off onto the shoulders of someone else, but until another day because when you recognize that the money has to be presented in terms of new tax votes before the spending can ever go forward, then we do have the problems about which the gentleman from Centre, Senator Corman, reflected.

Let us stop and think for a moment how we have gotten here tonight and then use that history to provide the basis for some guesstimate about what it is that will happen if this vote this evening is one to concur in the House amendments. We have talked about the irresponsibility of the Governor in the fiscal process for the last two years and I do not think there is a single Member on the other side of the aisle who for a moment is going to stand up and defend this Governor or that front office with respect to the fiscal programs, the mismanagement of the expenditures of this Commonwealth in the last year, because everyone over there knows it as harshly and as truly as we do.

You know the misinformation that has been presented. You know the paste and bubble gum that has been used for political purposes. You know the chicanery to which we have been treated in that joke that was called a budget message four months ago. You have shaken your heads in disbelief as we have with the cute releases of so-called new information that has finally brought some true understanding of the depth of the economic mess in Pennsylvania into perspective, during the course of which this Governor has done everything within his power and the capabilities of his public relations office to throw the blame onto their shoulders and my shoulders. Acts of God, the national economy and anything except to stand up and take the responsibility for the portion of the mess they have created. That is where we are tonight when the gentleman says that you are calling upon him to be responsible.

What is there in the history of the course of the last year of the budget process or the economics of this State that give you one moment's worth of pause to think that anything is going to happen? Let us grow up and understand the process for what it has really been. If that history lesson is not enough, if they are going to tell me that somehow or another tomorrow will be different because there is a new light that has shone or, perhaps, if they want to finally admit that the election is past so now we can be honest, then let us simply look to the document that was circulated less than three hours ago to see what it is this Governor has already told us he is going to do if he is going to start blue-lining appropriations. It is in his own hands so there is no need for us to guess. I want everyone on that side of the aisle to make no mistake about exactly what it is that we are going to get from this Governor with his blue paintbrush if they tell us they are going to try to call upon him to be responsible and to exercise their obligation to govern.

He has already told us right here that he will cut \$75 million from the educational subsidy. Is that what you want to go home and tell your school districts and your local taxpayers that your responsible exercise in government is all about? There it is, ladies and gentlemen, the Governor's own word as to what he is going to do on that blue-lining. That is \$75 million from the basic educational subsidy.

What about special education? Do you care to look to see how much he is going to cut that below the level he recommended?

What about the cash grants for welfare recipients? Do you want to look at that number as well?

Yes, Mr. President, we had debate here while one of my colleagues on the other side of the aisle indicated his very deep interest in long-term nursing care. In fact, the Members approved his amendment to try to guarantee the soundness for that program. Are the Members concerned about the fact that this Governor has already told us and the rest of this Commonwealth that he is going to cut an additional \$10 million from that program? I am concerned about it and I believe it is my responsibility as well as yours to do something about it rather than to throw up our hands and go hide from Harrisburg and say, "This is something we do not want, but we are going to let him take out the paintbrush after what he has told us he is going to do." Shame on you.

Mr. President, I am prepared to stay here tonight. We do have an obligation to the people of this Commonwealth to have a budget in place. I believe if you really wanted to get serious about the process instead of going through this charade, there is absolutely no reason why it cannot, will not and would not be done. We do have tonight and we have all day tomorrow and if we cannot use our talents and our abilities rather than throwing them over to someplace else to get this solved, then I think we ought to be prepared to stand up and tell the people of Pennsylvania that sorry story as well. If you think you need more time, then you ought to understand the practicality of the fact that there is no harm whatsoever to be inconvenienced if we cannot make it by midnight tomorrow night. With the long holiday weekend facing us, there is not one single circumstance either in State government or anywhere in this Commonwealth that is going to begin to feel an impact until next Tuesday, which is July 5th. I am prepared to stay here for the whole weekend and for the Fourth of July. Obviously, you are not because you just do not care about the process enough to put your energies and your abilities toward a solution. Go ahead and throw it away, but know what you are doing. Not only must you understand what you are doing with regard to the cuts you are going to visit upon this entire Commonwealth, but do not for a moment think the crisis is going to leave. This is not a vacuum in which we are operating. It will not bring down the curtain on the discussion, that is for sure, but it is going to bring down the curtain on any participation over here as far as I am concerned. If you are going to let a Governor determine what the budget is, then you better be prepared to give him the money to pay for those bills because this is one person who has voted for taxes before, but will never be a part of that process. In case it has escaped you, let us stop and take a look at a constitutional process that has to work. The Governor is obligated by the Constitution of Pennsylvania to sign a bill that does not contain expenditures that exceed the certified revenue. What does that mean? That means there can be no blue-lining process, certainly that the public is going to be aware of, but maybe you have made some deal already, I do not know, but there can be no bill signed by the Governor, there can be no blue-lining process until taxes have been passed to pay for the expenditures you want to see implemented and that means tax votes, major tax votes, from someplace in this General Assembly before we know how broad that paintbrush is going to be. I am not about to consider for a moment a tax vote when I have no control and, in fact, no input into the process to determine how that money is going to be spent. I do not know how many of you feel comfortable. I do not know how many of you on that side of the aisle have an understanding and a commitment from the front office that you are willing to go home and sleep on tonight that is going to tell you that after you put up your votes for \$400 million, \$500 million or \$700 million in new taxes that you are not going to be embarrassed, virtually into tears, by what happens with that blue paintbrush over which I doubt you are going to have much control at all. What kind of a process are you letting yourselves get involved in?

Responsibility for a blue-lining procedure after you put up tax votes, my friends—that is what it is all about. There cannot be a spending program that exceeds the available revenues, so where are we unless you are willing to put up twenty-six tax votes for some hundreds and hundreds of millions of dollars in new taxes and unless you think that somehow or another you are going to get that other house of this Legislature to put up the tax votes under the circumstances I have just described? If you are willing to do that for the Brooklyn Bridge and a couple of acres of ground out in the desert, you can run that into the whole process, because that would simply extend the silliness you are already asking the rest of us to buy here this evening. Unless you are willing to do that, then let us clearly understand what has to happen at midnight tomorrow night, if that is when this process is going to be resolved, as you tell us what you are going to do tonight will, in fact, contribute to.

The Governor will have to certify the revenues as they stand at that moment. The Governor will have to blue-line any bill in front of him to meet those revenues. That means that, based upon his own budget office information of which you are all fully aware, there is a \$476 million shortfall in the expenditures he wants to see versus the revenues that will be certifiably available for that spending plan.

What does that mean, I ask the gentleman from Centre, Senator Corman? That means the first thing that happens is that \$377 million in nonpreferred appropriations become hostages to the tax vote process. Unless you are going to pass \$500 million or \$800 million worth of new taxes by tomorrow night—I am telling you that you cannot do that in any way on this earth—you are going to be set with a situation in which at a minimum the nonpreferreds have to be held hostage and there will be tens of millions of dollars in additional blue-line cuts that must be made.

Mr. President, where are we then with this procedure of responsible government that we are being treated to tonight? We are then into a situation where we have nothing more than a cute and fancy stopgap appropriation and what a tricky maneuver will have been used to get us all there. A front office that tried to bully its way into forcing this Legislature to buy some programs that were just clearly unacceptable and which said it would never accept a stopgap appropriation has with your unwitting complicity gotten in front of a bill that will enable it to run the operations of State government for a couple of months while you sit and stew under the pressures that will mount, and they wash their hands from the whole process because it is none of their doing. How much longer are you going to let yourselves be part of that process, to be used again by a front office that will not even for a moment acknowledge to the people of Pennsylvania that they have had a part in creating this crisis that is going to force you to vote for \$500 million in new taxes? They are going to string you out on a limb, my friends, and that is the process which you are telling us tonight represents responsible government. I feel sorry for you. I feel sorry for the people of Pennsylvania.

Where are the other hostages that are going to come into this process? The gentleman from Blair, Senator Jubelirer, talked about the responsibility of meeting an unemployment compensation crisis and how we did such a great job to do that with the Senate bill that passed here. The President pro tempore of this Body told all of us that this was the number one crisis facing the Commonwealth of Pennsylvania, and that without a resolution of the unemployment compensation situation there could be no economic development in Pennsylvania. I presume that each and every one of you is painfully aware of the fact that there is no money for unemployment compensation or the interest obligation for unemployment compensation in the bill you tell us you are going to support tonight.

Mr. President, you marched in lockstep, in unison, to put your votes up in this Chamber a week ago for the most important economic issue in Pennsylvania, and tonight in the process of responsible government you are running so far away from that diatribe of last week that I have to wonder whom it is you think we are kidding. How in the world do you expect to pass an additional \$34 million in expenditures at some other time if you are going to run away from it in the course of the budget process? What do you think is going to happen to the unemployment compensation resolution? Another hostage? It might as well be held right along with the colleges and the universities so the gentleman from Centre, Senator Corman, does not get lonesome thinking that *deja vu* is his own peculiar little shadow under which he has to hide.

Unemployment compensation is right back on the front burner of crises in this Commonwealth if this House bill is concurred in this evening, because the monies to fund the part of our legislative obligation which has now been so clearly concurred in by business, by labor and the very representatives from this legislative Body who stood shoulder to shoulder with those people and said we are committed to this process just two days ago are now seeing it washed down the drain.

The situation and the question, I think, comes down to a very simple query that is far more than being rhetorical but has an interesting historical derivation. Nearly six years ago during this twilight of *deja vu* which seems to be clouding over this Chamber today, the gentleman from Lycoming, Senator Hager, stood on that side of the aisle in the budget debate at that time and said, "Do we have it to spend or do we not have it to spend?" Senator Hager, the question remains this evening and the answer is the same as it was then when you voted against the spending proposal. We do not have it to spend and there is no more prospect of it being available then than there is now. In fact, I would have to think that the prospects at this time are substantially worse.

Where are we tonight? We are in precisely the same position as we were at that time in terms of what tomorrow, Friday, next week and the months ahead bring as the hostages are dangled out there have to offer for us.

In that debate in 1977, the gentleman from Lycoming, Senator Hager, again asked of us, "What we really have here

today is sort of a preview of coming attractions and the coming attraction is a double bill, a double feature with stop-gaps, a movie called deficiency appropriations and new taxes in the fall or maybe even next spring." What the gentleman is doing is saying, buy now, pay later, a kind of credit card budget.

Yes, again tonight what you are asking us to accept is a credit card budget and you were not satisfied to simply let it stand at that. You continued at a later date during the course of that same budget crisis to comment, and I am quoting again, "Credit card government" would be one of them when you were referring to the consequences of the passage of that bill.

"Spend all you have," you said, to take care of the bills for only part of the week and hope against hope you can somewhere find money to pay for the weekend. I could say it is another sugarcoated pill for the public to swallow, only to find after it is in their belly, it is poison. That is what you are suggesting you are going to vote for tonight, a sugarcoated pill that is going to be poison in the bellies of the people of Pennsylvania because you do not have the money to pay for what it is you are telling us this responsible government is going to produce.

There are twists and turns in this process. The gentleman from Chester, Senator Stauffer, is absolutely correct when he says we have to be flexible enough to move and to shift and forge a truly meaningful answer, notwithstanding the way those pressures happen to come upon us. It is not twists and turns that we are experiencing tonight. We are staring at a cliff that has hundreds of feet down to the rocks on the bottom, and like a herd of buffalo you are stampeding over that cliff with no idea of why you are doing it, with no concept of where you are going, but the results are going to be as painful as that process would be because the silliness that is being launched here is only the beginning of a long act that you are going to play out on a very lonely stage. I hope the people of Pennsylvania are fully going to realize that it is not only the mis-administration of the economics of Pennsylvania caused by the Governor over the last year, but also the complicity of the Republican Members of this Senate in continuing that charade that is going to put them through some of the most painful economic experiences they will have had to endure in a long, long time.

If you want to call on somebody to do a responsible job, simply look over your shoulder at the person sitting next to you and ask that person to join with the others in this Chamber to be responsible in the legislative process and to hammer out something that we not only can find to be meaningful and responsible for the people of Pennsylvania, but that is going to leave us with a situation when we leave here tomorrow, as I believe we could do, with no untied strings, with no loose ends, and with no sails flapping in the wind, but a budget process that has been concluded that will not have hostages still strung out all over the ball park for hundreds of millions of dollars in new taxes that you are now committing yourselves to this evening with an affirmative vote to support.

Good luck. I think it is a folly and a misfortune you are visiting upon everyone tonight, and I wish for a moment the comments that have been made here would change your minds, but I am afraid you have all duped yourselves into some kind of mind-set when the Session began on this floor that you are going to turn off any pleas of reason, that you were going to shut out any facts, and that you were going to hide from any of the realities that we have discussed and go and hope the hour becomes late enough that you could simply slink off into the darkness and avoid these responsibilities, but tomorrow they will be back.

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—27

Bell	Hess	Loeper	Snyder
Brightbill	Holl	Moore	Stauffer
Corman	Hopper	O'Connell	Street
Fisher	Howard	Pecora	Tilghman
Greenleaf	Jubelirer	Rhoades	Wenger
Hager	Kratzer	Shaffer	Wilt
Helfrick	Kusse	Shumaker	

#### NAYS—22

Andrezeski	Lewis	O'Pake	Singel
Bodack	Lincoln	Reibman	Stapleton
Early	Lloyd	Rocks	Stout
Fumo	Lynch	Ross	Williams
Hankins	Mellow	Scanlon	Zemprelli
Kelley	Musto		

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

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

### UNFINISHED BUSINESS

#### REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator BELL submitted the Report of Committee of Conference on **SB 128**, which was placed on the Calendar.

#### MAJORITY REPORT OF SENATE COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION NO. 12

Senator HOWARD submitted the following communication, which was read by the Clerk as follows:

#### SENATE OF PENNSYLVANIA

June 29, 1983

The Honorable Henry G. Hager  
President Pro Tempore  
Senate of Pennsylvania  
Harrisburg, Pennsylvania 17120

Dear Senator Hager:

We are pleased to present the Majority Report of the Senate Task Force created pursuant to Senate Resolution 12.

The Task Force was charged with the responsibility of conducting a comprehensive review of the Mental Health and Mental Retardation Act of 1966 as it relates to the mentally retarded, with the intent of proposing modernized alternatives to that statute no later than June 30, 1983.

This report represents the findings and recommendations resulting from the work of the Task Force.

Very truly yours,

EDWARD L. HOWARD  
Chairman

J. DOYLE CORMAN, JR.

D. MICHAEL FISHER

The PRESIDENT. The report will be filed in the Library.

### RESOLUTION IN PLACE

Senator HANKINS presented to the Chair a resolution.

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to the Officers and Cadets of Black Forest Composite Squadron 1203, Thirty-first Wing, Pennsylvania Civil Air Patrol by Senators Musto and Kusse.

Congratulations of the Senate were extended to Mr. and Mrs. Theodore Halicki, Mr. and Mrs. John F. Moran, Mr. and Mrs. Howard Puterbaugh and to Mrs. Anna Yashchak by Senator O'Connell.

Congratulations of the Senate were extended to Mr. and Mrs. William B. Greene by Senator Pecora.

Congratulations of the Senate were extended to Mrs. Dorothy Neel by Senator Shaffer.

Congratulations of the Senate were extended to LeGree S. Daniels by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. Mervin Cowan by Senator Stapleton.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the wife of the late Michael Carsia by Senator O'Connell.

Condolences of the Senate were extended to the family of the late Mrs. Doris M. Gray and to the family of the late Armand R. Cingolani, Sr. by Senator Shaffer.

### BILL ON FIRST CONSIDERATION

Senator JUBELIRER. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

### HB 682.

And said bill having been considered for the first time,  
Ordered, To be printed on the Calendar for second consideration.

### GENERAL COMMUNICATION BILL INTRODUCED AND REFERRED

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

June 29, 1983

Senators BELL and BODACK presented to the Chair **SB 906**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting telephone companies from restricting telephones to outgoing calls only.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 29, 1983.

### BILL SIGNED

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

**SB 527.**

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

THURSDAY, JUNE 30, 1983

7:30 P.M.	LAW AND JUSTICE (Public Hearing to consider testimony on the Bent Elbow Inn and the problem of nuisance bars)	Frank Masters Restaurant, Best Western Inn, 7600 Roosevelt Boulevard, Philadelphia
-----------	--	--

FRIDAY, JULY 1, 1983

10:00 A.M.	URBAN AFFAIRS AND HOUSING (agenda to be announced shortly)	Room 459, 4th Floor Conference Rm., North Wing
------------	--	---

TUESDAY, JULY 5, 1983

11:00 A.M.	LAW AND JUSTICE (to consider Senate Bills No. 613, 619, 620 and to hear testimony on	Room 459, 4th Floor Conference Rm., North Wing
------------	---	---

underage drinking)

WEDNESDAY, JULY 6, 1983

9:00 A.M. LEGISLATIVE BUDGET Room 461,  
AND FINANCE COMMITTEE 4th Floor  
(1. Release performance Conference Rm.,  
audits of the following North Wing  
boards in accordance with  
the Sunset Act: Crime Victim's  
Compensation Board, Hazardous  
Substances, Transportation  
Board, State Board of Cosmetology,  
State Board of Barber Examiners;  
2. Approval and release of a  
study report on the Governor's  
Veterans Outreach and Assistance  
Centers Program)

9:30 A.M. COMMUNITY AND Room 460,  
ECONOMIC DEVELOPMENT 4th Floor  
(to consider Senate Conference Rm.,  
Bills No. 664, 822, 861 North Wing  
and any other business that  
may come before the committee)

11:00 A.M. LAW AND JUSTICE Room 459,  
(to consider testi- 4th Floor  
mony from Enforcement Conference Rm.,  
Officer Reese Brown of North Wing  
the Pa. Liquor Control  
Board concerning reports  
filed on underage drinking)

TUESDAY, JULY 12, 1983

3:00 P.M. Independent Regulatory Honors Suite,  
Review Commission 333 Market St.

WEDNESDAY, JULY 13, 1983

11:00 A.M. Public Employee Retire- Room 459,  
ment Study Commission 4th Floor  
Conference Rm.,  
North Wing

THURSDAY, JULY 28, 1983

3:00 P.M. Independent Regulatory Honors Suite,  
Review Commission 333 Market St.

### ADJOURNMENT

Senator JUBELIRER. Mr. President, I move that the Senate do now adjourn until Thursday, June 30, 1983, at 11:00 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 10:03 p.m., Eastern Daylight Saving Time.