

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

HB 2713 (Pr. No. 3656) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

HB 2714 (Pr. No. 3657) — Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

HB 2715 (Pr. No. 3584) — Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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

STATEMENT BY THE PRESIDENT

The PRESIDENT. The Chair thanks the Members for their forbearance on the nonpreferred appropriation bills and begs their continued forbearance on the remainder of today's Calendar.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 62 (Pr. No. 3655) — Considered the third time,

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

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

Amend Title, page 1, line 1, by striking out "amendments" and inserting: an amendment

Amend Title, page 1, line 3, by inserting a period after "PENSIONS"

Amend Title, page 1, lines 3 and 4, by striking out "AND further providing" in line 3 and all of line 4

Amend Sec. 1, page 1, line 7, by striking out "AMENDMENTS" and inserting: amendment

Amend Sec. 1, page 1, line 8, by striking out "ARE" and inserting: is

Amend Sec. 1, page 1, line 10, by striking out "(1)"
Amend Sec. 1 (Sec. 26), page 2, lines 8 through 30;
page 3, lines 1 through 12, by striking out all of said
lines on said pages

Amend Sec. 2, page 3, line 13, by striking out
"AMENDMENTS" and inserting: amendment

Amend Sec. 2, page 3, line 13 and 14, by striking out
"IN CLAUSES (1) AND (2) OF SECTION 1"

Amend Sec. 2, page 3, line 14, by striking out "SEP-
ARATELY"

Amend Sec. 2, page 3, line 17, by inserting after
"XI": of the Constitution of Pennsylvania

On the question,

Will the Senate agree to the amendments?

Senator COPPERSMITH. Mr. President, these amendments
would eliminate Clause 2B on page 2 and 3 of House Bill No.
62.

In effect it takes out the special trust fund for proceeds from
aviation fuel excise taxes.

Mr. President, I am offering these amendments because I
philosophically feel that the creation of the special trust fund is
wrong. Money should be run through the General Fund. We
have had an experience with the Highway Trust Fund which I
think indicates that it has been counterproductive and for that
basic reason that we should be not setting up special trust
funds for however landable the purpose, I offer these amend-
ments.

Senator HAGER. Mr. President, I would oppose these amend-
ments. First of all, there is a general understanding among the
aviation industry, not only general aviation but also commer-
cial aviation, that we are facing a loss of the privately owned
but commercial and open to the public airport. They are facing
severe economic pressures simply because they are vast open
spaces which many townships, counties and other municipal
subdivisions look to and say, "Gee whiz, there is a lot of nice
land, let us slap some ordinary real estate taxes on them."

Unfortunately, Mr. President, there is no way that these op-
erators can sustain themselves and meet the burden of those
real estate taxes. The purpose of these amendments is to make
aviation fuels, which are user fuels, and which are used for the
maintenance of airports, give some help to these privately-op-
erated but commercially-operated, inspected and regulated air-
ports.

Mr. President, the gentleman from Cambria, Senator Copper-
smith, recommends that we deal with this through the General
Assembly. The problem is, although there is general acceptance
and understanding in the aviation industry, there is virtually
no understanding by the general public as to the use of these
feeder airports and the absolute imperative need to keep these
airports open as feeders for all of the other commercial installa-
tions.

Mr. President, I, therefore, would ask for a negative vote on
the amendments for one other kind of ironic reason. If you
were to take a look at House Bill No. 62, or at the notation of
the bill on today's Calendar, you will see that the bill is spon-
sored chiefly by Representative Wilson. The purpose of House
Bill No. 62 was the very one which the gentleman from Cam-
bria, Senator Coppersmith, now seeks to amend out of the bill,

converting it to a purpose for which it was never intended in
the first place.

Senator COPPERSMITH. Mr. President, in answer to the
gentleman from Lycoming, Senator Hager, I should point out
that the other part of the bill, providing for increase of pen-
sions to the widows of beneficiaries, has not been reported
from the House, that is the reason it was amended into this bill.

There are many people in this Chamber who do not want to
vote for the creation of the special trust fund, who do want to
vote for the other part of the bill, and my amendments, I think,
will enable the important part of this bill, allowing cost of liv-
ing increases to widows of beneficiaries, to pass without diffi-
culty.

Mr. President, I should also take exception to the Minority
Leader's point that the general public does not have an appreci-
ation of feeder airports and, therefore, we should mandate into
the Constitution that all money will be used for aviation pur-
poses that is raised by the aviation fuel excise taxes. I think
that goes counter to the basic concept of our representative
form of government.

Mr. President, I trust the people to respond to a need when it
is established and I think this idea that we are going to earmark
funds, regardless of the amount raised, spend them for a partic-
ular purpose, is destruction of good governmental spending
practices and for that reason I ask for support of these amend-
ments.

Senator EARLY. Mr. President, I rise to ask for a negative
vote on the motion by the gentleman from Cambria, Senator
Coppersmith. I think we must keep in mind that House Bill No.
62 just has two days to pass both the Senate and the House. We
are concerned about the date of August 4th. If we do not pass
this bill within the next couple days, that means the bill will go
down in defeat, the aviation fuel aspect and the increase in the
pension for the widows and widowers. I am concerned that if
we do not pass this bill in its present form, the House of Repre-
sentatives will not concur. If they do not concur, that means we
will get nothing.

Mr. President, those Members who are in favor of either part
of the bill, I advise you to vote "no" on this particular action or
we will lose everything.

SENATOR SCANLON TO VOTE FOR SENATOR MELLOW

Senator SCANLON. Mr. President, Senator Mellow has been
called to his office on a legislative matter and I am requesting a
legislative leave for this bill and I will be voting him.

The PRESIDENT. The Chair hears no objection.

Senator SCANLON. Mr. President, Senator Mellow has just
returned.

The PRESIDENT. The Chair hears no objection to that,
either.

PARLIAMENTARY INQUIRY

Senator LEWIS. Mr. President, I rise to a question of parlia-
mentary inquiry.

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

Senator LEWIS. Mr. President, as we all know, the Constitution requires that before the public can vote upon a proposed constitutional amendment, the proposal be approved by two consecutive Sessions of the General Assembly with the language being in essentially the similar form when approved by both of those Sessions.

The question that I have, Mr. President, is this: If we in fact approve House Bill No. 62 in its present form, but the next Session of the General Assembly chooses to pass only the language relating to the pension provisions contained in House Bill No. 62, but does not include the language relating to the allocation of real estate taxes for airport purposes, would the pension provision have met the requirements of the Constitution and then be in a form in which it can be presented on the ballot to the general public?

The PRESIDENT. The answer to the gentleman's question is, yes it would.

And the question recurring,

Will the Senate agree to the amendments?

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

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—18

Arlene,	Hankins,	Lynch,	Romanelli,
Bodack,	Kelley,	Mellow,	Smith,
Coppersmith,	Kury,	Murray,	Stout,
Fumo,	Lincoln,	Reibman,	Zemprelli,
Gurzenda,	Lloyd,		

NAYS—29

Andrews,	Hess,	Loeper,	Price,
Bell,	Holl,	Manbeck,	Scanlon,
Corman,	Hopper,	McKinney,	Schaefer,
Dwyer,	Howard,	Moore,	Snyder,
Early,	Jubelirer,	O'Connell,	Stapleton,
Gekas,	Kusse,	Orlando,	Stauffer,
Greenleaf,	Lewis,	Pecora,	Tilghman,
Hager,			

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

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

On the question,

Shall the bill pass finally?

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

YEAS—46

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

NAYS—2

Kelley, Kury,

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

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

BILL OVER IN ORDER

HB 106 — Without objection, the bill was passed over in its order at the request of Senator SCANLON.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 421 (Pr. No. 3498) — Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—48

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

NAYS—0

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

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