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No. 171.

## SENATE

WEDNESDAY, April 18, 1956.

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

The PRESIDING OFFICER (Edward J. Kessler) in the Chair.

### PRAYER

Honorable FRANK W. RUTH, a Member of the Senate from Berks County, offered the following prayer:

Our Father, Which art in Heaven, hallowed be Thy Name; Thy Kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread; forgive us our debts as we forgive our debtors and lead us not into temptation, but deliver us from evil for Thine is the Kingdom and the power and the glory forever. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. DENT, further reading was dispensed with, and the Journal was approved.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 160,  
PRINTER'S No. 615

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 16, 1956.

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

I have the honor to inform you that I have this day approved and signed Senate Bill No. 160, Printer's No. 615, entitled "An Act amending the act of June 27, 1923 (P. L. 858) entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from tax-

ation and judicial process and providing penalties' changing the provisions as to contributors who died before retirement."

GEORGE M. LEADER

## HOUSE MESSAGES

### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 165

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read as follows:

#### COMMENDING STATION WTPA-TV

In the House of Representatives, April 2, 1956.

Whereas, the increasing complexity of government makes it more important than ever that the people be given opportunity to understand and judge from first hand information, and

Whereas, Station WTPA-TV, through its weekly program entitled Capitol Correspondents, in which experienced and trained newspapermen interview legislative and governmental officials of widely varying political beliefs, gives such an opportunity, and

Whereas, it is essential that such media of public opinion be encouraged and strengthened in the best interests of the people, therefore be it

Resolved, that the House of Representatives (with the Senate concurring) commend Station WTPA-TV of Harrisburg, its management and employes, for the great public service they are providing by the continued presentation of the Capitol Correspondents program and its free interchange of ideas during the current session of the General Assembly.

#### RULE 39 SUSPENDED

Mr. WADE. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

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

### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1560, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1560, entitled:

An Act to regulate the sale and distribution of commercial feeds in the Commonwealth of Pennsylvania; conferring powers and imposing duties on the Department of Agriculture; and prescribing penalties.

and has appointed Messrs. FARABAUGH, SNIDER and TOOMEY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE  
BILL No. 1560**

Mr. WADE. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1560, and that a Committee of Conference on the part of the Senate be appointed.

Mr. DENT. Mr. President, I second the motion.  
The motion was agreed to.

**HOUSE INSISTS UPON ITS NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL No. 1650 AND  
APPOINTS COMMITTEE OF CONFERENCE**

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1650, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

and has appointed Messrs. POLEN, LOPRESTI and OGILVIE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE  
BILL No. 1650**

Mr. WADE. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1650, and that a Committee of Conference on the part of the Senate be appointed.

Mr. DENT. Mr. President, I second the motion.  
The motion was agreed to.

**HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE SENATE TO SENATE  
BILL No. 249 AND APPOINTS COMMITTEE  
OF CONFERENCE**

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate Bill No. 249, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," increasing monthly pension allowance; abolishing the sum of income and pension as a ceiling for pension receivable.

and has appointed Mrs. VARALLO, Messrs. SARRAF and HELM as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE CONCURS IN SENATE CONCURRENT  
RESOLUTION**

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

**TIME OF NEXT MEETING**

In the Senate, April 17, 1956.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, May 1, 1956 at a time to be fixed by the Senate, unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, May 1, 1956 at a time to be fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

**HOUSE CONCURS IN SENATE CONCURRENT  
RESOLUTION**

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

**RECALLING SENATE BILL No. 1019 FROM THE  
GOVERNOR**

In the Senate, April 17, 1956.

Resolved (if the House of Representatives concur), that Senate Bill No. 1019, Printer's No. 582, entitled "An act amending the act of May 12, 1943 (P. L. 259) entitled as amended 'An act providing for the payment by the State Treasurer of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns townships and and certain counties and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees Retirement Fund for certain purposes' further defining policemen and changing the time when unused funds are returned to the General Fund for redistribution," be recalled from the Governor for the purpose of amendment.

**CALENDAR**

**HOUSE BILL No. 2102 CALLED UP OUT OF ORDER**

Mr. WADE. Mr. President, I call up out of order, from page 4 of today's Third Reading Calendar, House Bill No. 2102, Printer's No. 1671, for consideration at this time.

**APPROPRIATION BILL ON THIRD READING  
AND FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2102, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

And said bill having been read at length 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:

Barr,	Haluska,	McPherson, Jr.	Taylor,
Berger,	Harney,	Mullin,	Van Sant,
Blass,	Hays,	Pechan,	Wade,
Camiel,	Koprivcr, Jr.	Peelor,	Wagner,
Chapman,	Lane,	Propert,	Watkins,
Dent,	Madigan,	Ruth,	Watson,
Derk,	Mahany,	Schmidt,	Weiner,
Diehm,	Mallery,	Scott,	Whalley,
DISilvestro,	McCreesh,	Seyler,	Wolfe,
Donolow,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Kessler,
Fleming,	Miller,	Stiefel,	Presiding Officer

NAYS—0

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

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

HOUSE BILL No. 2087 CALLED UP OUT OF ORDER

Mr. WADE. Mr. President, I call up out of order, from page 8 of today's Third Reading Calendar, House Bill No. 2087, Printer's No. 1720, for consideration at this time.

BILL ON THIRD READING AMENDED

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 2087, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating applications for registration changing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing certain engine capacity and additional equipment requirements for certain vehicles changing the maximum gross weights allowed for certain vehicles providing a formula for determining the gross maximum weights and prescribing penalties

And said bill having been read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?  
Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:  
Amend Sec. 3 (Sec. 811), page 15, line 12, by inserting after "act": "This subsection shall apply only to drum and shoe type brakes."; Amend Sec. 6, page 26, lines 9 to 15, by striking out all of lines 9 to 14, and "of less than twenty thousand (20,000) pounds" in line 15, and inserting in lieu thereof: "as to all new vehicles originally titled on and after January 1, 1957".

On the question,  
Will the Senate agree to the amendments?  
They were agreed to.  
On the question,  
Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 2087, Printer's No. 1720, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REMAINING BILLS ON TODAY'S CALENDAR OVER IN ORDER

Mr. WADE. Mr. President, I move that all remaining bills on today's Calendar go over in their order.

Mr. DENT. Mr. President, I second the motion.  
The motion was agreed to.

RECESS

Mr. WADE. Mr. President, I move that the Senate do now take a recess for forty-five minutes.

Mr. DENT. Mr. President, I second the motion.  
The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

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

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 2102, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending may thirty-first, one thousand nine hundred fifty-five.

Whereupon,  
The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 1088, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" clarifying and changing provisions relating to hours when alcoholic beverages may be sold.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. WADE. Mr. President, I move that the Senate do now adjourn until Tuesday, May 1, 1956, at 12:00 o'clock m., Eastern Standard Time.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.  
The Senate adjourned at 11:44 o'clock, a m., Eastern Standard Time, until Tuesday, May 1, 1956, at 12:00 o'clock, m., Eastern Standard Time.