

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, APRIL 22, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 24

SENATE

MONDAY, April 22, 1991.

The Senate met at 2:00 p.m., Eastern Daylight Saving Time.

The PRESIDENT (Lieutenant Governor Mark S. Singel) in the Chair.

PRAYER

The Chaplain, Reverend CHARLES FAIR, Pastor of Alsace Lutheran Church, Reading, offered the following prayer:

Let us pray.

"This is the day the Lord hath made: Let us rejoice and be glad in it."

We rejoice for a new day and a new week in the land of America and the Commonwealth of Pennsylvania. We thank You for the blessings and freedoms that are ours because we live in the government of the people, by the people and for the people.

We are grateful for an end to the war in the Persian Gulf and for the homecoming of our American service people.

Give guidance to the Members of our Pennsylvania Senate, the House of Representatives, and our Governor, as they deal with the challenges and concerns of the people of this great state.

Their task is not easy. They cannot please everyone. There are so many needs and hurts of the disadvantaged, so many groups crying out to be heard.

So give to the Members of this Senate, Almighty God,
Sensitivity to human needs,

Awareness of the limited resources that are available,

Guidance to reach the right decisions,

Courage to stand up and be counted,

A desire to do their best,

and the Divine Blessing of our Creator King,

Lord of Lords, and King of Kings. Amen.

The PRESIDENT. The Chair thanks Reverend Fair who is the guest this week of Senator O'Pake.

SPECIAL ORDER OF BUSINESS

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

The PRESIDENT. The Chair would also like to take a moment to pass on to the Members of the Senate that Senator O'Pake informs me that Reverend Fair has just recently welcomed home his two sons who served with the United States Air Force in the Persian Gulf. They are Captain Daniel Fair and Lieutenant Jonathan Fair who have recently returned

home. Reverend Fair and his lovely wife, Louise, who is with us in the gallery, are just as pleased about that as anybody in the country. We are delighted to have you with us, as well, Louise.

Senator O'PAKE. Mr. President, I would ask that the Chair extend its usual warm welcome to Mrs. Fair who is in the gallery and share with my colleagues the fact that Pastor Fair is one of the most respected members of our clergy back home. Alsace Lutheran Church has a weekly radio service which is broadcast and listened to by many shut-ins. He is a tremendous preacher and, in addition to that, is a very compassionate and caring man who does an excellent job visiting hospitals and those members of his congregation who look to him for guidance.

We are grateful to the pastor and his wife for the excellent job they did in raising those two sons. At church recently, both sons were there and they both told of their six months experience in Saudi Arabia, and one of them brought home pieces of a SCUD missile that landed near Jonathan's base. So, Pastor Fair, we welcome you and we thank you for the presence that you are in our community. Would the Chair recognize Mrs. Louise Fair. She has a beautiful voice and she is observing all of this in the gallery.

The PRESIDENT. Would Louise Fair please rise so we can welcome you to the Senate of Pennsylvania.

(Applause.)

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of April 17, 1991.

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE PENNSYLVANIA
FISH COMMISSION

April 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James S. Biery, Jr. (District 6), 3718 Vista Terrace, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1998 and until his successor is appointed and qualified, vice Leonard Green, Carlisle, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA
FISH COMMISSION

April 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Paul J. Mahon (At-large), 211 Harvard Avenue, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1998 and until his successor is appointed and qualified, vice David D. Coe, State College, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA
FISH COMMISSION

April 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Theodore T. Metzger, Jr. (District 4), 1613 Luzerne Street, Ext., Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Fish Commission, to serve until the second Tuesday of January, 1998 and until his successor is appointed and qualified.

ROBERT P. CASEY.

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD
OF BARBER EXAMINERS

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Andrea Quigley (Public Member), 323 Short Street, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State

Board of Barber Examiners, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice William T. Krahe, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Patrick T. Beaty, 202 Gettysburg Street, Dillsburg 17019, York County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Richard C. Weatherbee, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF
EASTERN STATE SCHOOL AND HOSPITAL

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Elizabeth Rowe, 365 Futurity Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Eastern State School and Hospital, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice Patricia Kind, Huntingdon Valley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 17, 1991 for the appointment of Edward J. Manley, 10 Lakeside Drive, Clarks Summit 18643, Lackawanna County, Twenty-second Senatorial District, as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD OF
NURSING HOME ADMINISTRATORS**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Edward Refice, 202 Mary Street, Apartment 23, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia E. Irwin, Pittsburgh, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD
OF OPTOMETRY**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of John Hohenwarter (Public Member), 11 Meadowbrook Lane, Elizabethtown 17022, Lancaster County, Thirteenth Senatorial District, as a member of the State Board of Optometry, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Eileen W. Leibowitz, State College, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD
OF PODIATRY**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Andrew Sislo (Public Member), 2057-C Raleigh Road, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Linda G. Glazer, Lancaster, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomina-

tion dated April 15, 1991 for the appointment of Jonathan Bigley, 24 Aquaduct Road, Duncannon 17020, Perry County, Thirty-third Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years and until his successor is appointed and qualified, vice John Scotzin, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 10, 1991 for the appointment of Sydney Marie Avent, Esquire (Public Member), 6712 Anderson Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, pursuant to Act 98, approved July 10, 1990.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD OF
EXAMINERS IN SPEECH-LANGUAGE
AND HEARING**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Barbara Garvey, 110 Overlook Drive, Pittsburgh 15216, Allegheny County, Thirty-seventh Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Molly M. Daly, Pittsburgh, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

**MEMBER OF THE BOARD OF TRUSTEES
OF WESTERN CENTER**

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 1991 for the appointment of Charles Dombrowski, 321 Hawthorne Road, Canonsburg 15317, Washington County, Forty-sixth Senatorial District, as a member of the Board of Trustees of Western Center, to serve until the third Tuesday of January, 1997, and until his successor is appointed and qualified, vice Alice Goldberg, Monongahela, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
DISTRICT JUSTICE

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 1991 for the appointment of William Rocky Brown, III, 23 West Eighth Street, Chester 19013, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-2-21, to serve until the first Monday of January, 1992, vice William L. Brown, Jr., deceased.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
DISTRICT JUSTICE

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 1991 for the appointment of David J. Murphy, Esquire, 1 Scott Lane, Aston 19014, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-2-38, to serve until the first Monday of January, 1992, vice Henry J. Silva, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
CRAWFORD COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of Anthony Joseph Vardaro, Esquire, 654 Park Avenue, Meadville 16335, Crawford County, Fiftieth Senatorial District, as Judge of the Court of Common Pleas of Crawford County, to serve until the first Monday of January, 1992, vice The Honorable P. Richard Thomas, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
LEBANON COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of John Charles Tylwalk, Esquire, 231 East Penn Avenue, Cleona 17042, Lebanon County, Forty-eighth Senatorial District, as Judge of

the Court of Common Pleas of Lebanon County, to serve until the first Monday of January, 1992, vice The Honorable Thomas Gates, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of Hugh F. Mundy, Esquire, 74 Lehman Avenue, Dallas 18612, Luzerne County, Twentieth Senatorial District, as Judge of the Court of Common Pleas of Luzerne County, to serve until the first Monday of January, 1992, vice The Honorable Bernard J. Podcasy, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
**CORRECTION TO NOMINATION BY THE
GOVERNOR REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Rules and Executive Nominations:

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

April 17, 1991.

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

Please note the nomination dated April 15, 1991 for the appointment of Gary S. Glazer, 7813 Winston Road, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Lebanon County, to serve until the first Monday of January, 1992, vice The Honorable Theodore S. Gutowicz, mandatory retirement, should be corrected to read:

Gary S. Glazer, 7813 Winston Road, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1992, vice The Honorable Theodore S. Gutowicz, mandatory retirement.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

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

April 22, 1991

HB 119 — Committee on Consumer Protection and Professional Licensure.

HB 686 — Committee on Banking and Insurance.
HB 185 and 521 — Committee on Finance.
HB 121, 184 and 675 — Committee on Transportation.

BILLS INTRODUCED AND REFERRED

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

April 22, 1991

Senators GREENLEAF, TILGHMAN, ANDREZESKI, PECORA, MADIGAN and GREENWOOD presented to the Chair **SB 968**, entitled:

An Act providing for pet sterilization; providing for additional duties of the Department of Agriculture; establishing the Pet Population Control Fund in the State Treasury; imposing a surcharge on the sale of certain pet food, and providing for its collection by the Department of Revenue; establishing the Pet Population Control Program; providing for financial incentives for pet sterilization; and providing penalties.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 22, 1991.

Senators BRIGHTBILL, HELFRICK, REIBMAN, PORTERFIELD and RHOADES presented to the Chair **SB 969**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," providing for health insurance claim forms.

Which was committed to the Committee on BANKING AND INSURANCE, April 22, 1991.

Senators MUSTO, REIBMAN, BRIGHTBILL, BELAN, SHAFFER, STAPLETON, MELLOW, O'PAKE, LAVALLE, SCHWARTZ, HELFRICK, AFFLERBACH and RHOADES presented to the Chair **SB 970**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for signals on emergency vehicles.

Which was committed to the Committee on TRANSPORTATION, April 22, 1991.

Senators MUSTO, BRIGHTBILL, BELAN, STAPLETON, MELLOW, O'PAKE, SCHWARTZ, AFFLERBACH and DAWIDA presented to the Chair **SB 971**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," dedicating a portion of the revenues from the State realty transfer tax to fund the Wild Resource Conservation Fund.

Which was committed to the Committee on FINANCE, April 22, 1991.

Senators MUSTO, BRIGHTBILL, BELAN, STAPLETON, MELLOW, O'PAKE, SCHWARTZ, AFFLERBACH and DAWIDA presented to the Chair **SB 972**, entitled:

An Act amending the act of June 23, 1982 (P. L. 597, No. 170), entitled "Wild Resource Conservation Act," providing for deposit of certain State revenues into the Wild Resource Conser-

vation Fund; and further providing for powers and duties of the board.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 22, 1991.

Senators CORMAN, STOUT, BAKER and BORTNER presented to the Chair **SB 973**, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as reenacted and amended, "Pennsylvania Municipalities Planning Code," further providing for compliance by counties, for special encroachments, for jurisdiction, for exclusions, for contents of ordinance, for completion of improvements, for procedures, for classifications, for development rights, for memberships and organization of the board and for time limitations.

Which was committed to the Committee on LOCAL GOVERNMENT, April 22, 1991.

Senator ROBBINS presented to the Chair **SB 974**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, relating to information on registration plates.

Which was committed to the Committee on TRANSPORTATION, April 22, 1991.

Senators BORTNER, REIBMAN, SCHWARTZ, BELAN and STOUT presented to the Chair **SB 975**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for applications for incorporation of a borough.

Which was committed to the Committee on LOCAL GOVERNMENT, April 22, 1991.

Senators BELL, MADIGAN, HELFRICK and RHOADES presented to the Chair **SB 976**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," creating the Department of Mines, Minerals, Forests and Waters and defining its functions, powers and duties; transferring certain functions, powers and duties heretofore performed by the Department of Environmental Resources; transferring certain boards and commissions; making editorial changes; and repealing inconsistent acts.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 22, 1991.

Senators DAWIDA, PECORA, STAPLETON, ANDREZESKI, BELAN, STOUT and LAVALLE presented to the Chair **SB 977**, entitled:

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), entitled "Real Estate Licensing and Registration Act," further providing for licensing.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 22, 1991.

Senators HOPPER, JUBELIRER, PETERSON, SCHWARTZ, STAPLETON, GREENWOOD, MUSTO, LAVALLE, BELL, REIBMAN, HELFRICK, LEMMOND and SHUMAKER presented to the Chair **SB 978**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for tolling the statute of limitations.

Which was committed to the Committee on JUDICIARY, April 22, 1991.

Senators ANDREZESKI, LAVALLE, BELAN and LYNCH presented to the Chair **SB 979**, entitled:

An Act amending the act of July 10, 1986 (P. L. 1238, No. 114), entitled "An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the appointment, terms, compensation and qualifications of and restrictions on commissioners;....," further providing for sunset.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 22, 1991.

Senators ANDREZESKI and BELAN presented to the Chair **SB 980**, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), entitled "State Lottery Law," providing for a lottery game based upon the outcome of professional sporting events.

Which was committed to the Committee on FINANCE, April 22, 1991.

**COMMITTEE OF CONFERENCE
APPOINTED ON HB 244**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators LOEPER, HELFRICK and STEWART as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 244.

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

REPORT FROM COMMITTEE

Senator TILGHMAN, from the Committee on Appropriations, reported the following bill:

SB 348 (Pr. No. 357) (Rereported)

An Act regulating and requiring the licensure of electrical contractors; establishing the State Board of Electrical Contractors and providing for its powers and duties; making an appropriation; and providing penalties.

LEGISLATIVE LEAVES

Senator FISHER. Mr. President, I request a legislative leave for the day for Senator Brightbill and temporary Capitol leaves for Senator Lemmond and Senator Hopper.

Senator STAPLETON. Mr. President, I ask for temporary Capitol leaves for Senator Andrezeski, Senator Fattah and Senator Porterfield.

The PRESIDENT. Senator Fisher asks legislative leave for Senator Brightbill and temporary Capitol leaves for Senator Lemmond and Senator Hopper. Senator Stapleton requests temporary Capitol leaves for Senator Andrezeski, Senator Fattah and Senator Porterfield. The Chair hears no objection to those leave requests. Those leaves will be granted.

LEAVES OF ABSENCE

Senator STAPLETON asked and obtained leaves of absence for Senator LEWIS and Senator LYNCH, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

RECESS ADJOURNMENT

Senator LOEPER offered the following resolution, which was read as follows:

In the Senate, April 22, 1991.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 6, 1991, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, May 6, 1991, unless sooner recalled by the Speaker of the House of Representatives.

Senator LOEPER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,
Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION ADOPTED

Senator LOEPER. Mr. President, I move that the Senate do adopt this resolution.

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

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

YEAS—48

Afflerbach	Fisher	Lincoln	Robbins
Andrezeski	Fumo	Loeper	Salvatore
Armstrong	Greenleaf	Madigan	Scanlon
Baker	Greenwood	Mellow	Schwartz
Belan	Hart	Musto	Shaffer
Bell	Helfrick	O'Pake	Shumaker
Bodack	Holl	Pecora	Stapleton
Bortner	Hopper	Peterson	Stewart
Brightbill	Jones	Porterfield	Stout
Corman	Jubelirer	Punt	Tilghman
Dawida	LaValle	Reibman	Wenger
Fattah	Lemmond	Rhoades	Williams

NAYS—0

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

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

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENTS BY THE SECRETARY**

The SECRETARY. Consent has been given for the following meetings during today's Session: The Committee on Appropriations to consider House Bill No. 702 and the Com-

mittee on Rules and Executive Nominations to consider Senate Resolutions No. 26 and 49 and certain nominations.

RECESS

Senator LOEPER. Mr. President, at this time I would ask for a recess of the Senate, first, for the purpose of a recessed meeting of the Committee on Appropriations to be held in the Rules room at the rear of the Senate Chamber immediately upon the recess, then to be followed by a Republican caucus to be held in the Majority caucus room, with an expectation of returning to the floor at approximately 3:45 p.m.

Senator MELLOW. Mr. President, I would request that upon the conclusion of the meeting of the Committee on Appropriations that the Members of the Democrat caucus come immediately to our caucus room so we can start what, hopefully, will be a brief caucus.

The PRESIDENT. There will be a meeting of the Committee on Appropriations in the room at the rear of the Senate Chamber immediately. Would all of the Members of the Committee on Appropriations please report to the Rules room at the rear of the Senate Chamber immediately. This will be followed by Senate Republican and Senate Democratic caucuses. For those purposes, the Senate will stand in recess.

AFTER RECESS

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

REPORT FROM COMMITTEE

Senator TILGHMAN, from the Committee on Appropriations, reported the following bill:

HB 702 (Pr. No. 1432) (Amended) (Rereported)

An Act amending the act of July 1, 1990 (P. L. , No. 7A), known as the "General Appropriation Act of 1990," providing additional Federal appropriations.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR NO. 1**

SECOND CONSIDERATION CALENDAR

**PREFERRED APPROPRIATION BILL
REREPORTED FROM COMMITTEE AS
AMENDED ON SECOND CONSIDERATION**

HB 702 (Pr. No. 1432) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 1, 1990 (P. L. , No. 7A), known as the "General Appropriation Act of 1990," providing additional Federal appropriations.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER TEMPORARILY

SB 40 — Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

BILL OVER IN ORDER

SB 266 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 306 (Pr. No. 316) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the procuring of children for the purpose of sexual exploitation; and imposing a penalty.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVES

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator O'Pake and Senator Fumo.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator O'Pake and Senator Fumo. The Chair hears no objection. Those leaves will be granted.

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—48

Afflerbach	Fisher	Lincoln	Robbins
Andrezski	Fumo	Loeper	Salvatore
Armstrong	Greenleaf	Madigan	Scanlon
Baker	Greenwood	Mellow	Schwartz
Belan	Hart	Musto	Shaffer
Bell	Helfrick	O'Pake	Shumaker
Bodack	Holl	Pecora	Stapleton
Bortner	Hopper	Peterson	Stewart
Brightbill	Jones	Porterfield	Stout
Corman	Jubelirer	Punt	Tilghman
Dawida	LaValle	Reibman	Wenger
Fattah	Lemmond	Rhoades	Williams

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.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Andrezski, Senator Lemmond and Senator Porterfield. Their temporary Capitol leaves will be

cancelled. Senator Brightbill is with us. His legislative leave will be cancelled as well.

SB 40 CALLED UP

SB 40 (Pr. No. 872) — Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator LOEPER.

BILL ON THIRD CONSIDERATION AMENDED

SB 40 (Pr. No. 872) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the jurisdiction of district justices and for limitations on compulsory arbitration.

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 No. A0644:

Amend Sec. 1 (Sec. 7361), page 2, lines 24 and 25, by striking out all of said lines

Amend Sec. 1 (Sec. 7361), page 2, line 26, by striking out "(II) \$40,000"

Amend Sec. 1 (Sec. 7361), page 2, line 27, by striking out the brackets before and after "FIRST,"

Amend Sec. 1 (Sec. 7361), page 3, line 1, by striking out the bracket before "(II)"

Amend Sec. 1 (Sec. 7361), page 3, line 1, by striking out "(III) \$20,000"

Amend Sec. 1 (Sec. 7361), page 3, line 2, by inserting after "DISTRICT.":

1

(i) not less than \$20,000 nor more than \$50,000 in judicial districts embracing first class counties, said amount to be established by local rule of court;

(ii) not less than \$20,000 nor more than \$40,000 in judicial districts embracing second, second class A or third class counties or home rule counties which but for the adoption of a home rule charter would be a county of one of these classes, said amount to be established by local rule of court; or

(iii) not less than \$10,000 nor more than \$20,000 in any other judicial district, said amount to be established by local rule of court.

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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Fumo, whose temporary Capitol leave will be cancelled.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 405 (Pr. No. 905) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding provisions relating to credited service as a retirement incentive; providing for legal advisors to the respective boards; and further providing for special early retirement and for accrued liability.

Considered the third time,

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW, by unanimous consent, offered the following amendment No. A0414:

Amend Title, page 1, line 4, by striking out "PROVIDING FOR LEGAL ADVISORS TO THE RESPECTIVE BOARDS;"

Amend Sec. 1, page 1, line 10, by striking out "AND SECTIONS 8501(E) AND 8502(B) AND (H)"

Amend Sec. 1 (Sec. 8501), page 2, lines 8 through 29, by striking out all of said lines

Amend Sec. 2 (Sec. 5302), page 3, line 7, by striking out "DURING SUCH PERIOD,"

Amend Sec. 2 (Sec. 5302), page 3, lines 8 and 9, by striking out "OR WILL ATTAIN 55 YEARS OF AGE BETWEEN SEPTEMBER 30, 1991, AND JANUARY 31, 1992,"

Amend Sec. 2 (Sec. 5302), page 3, lines 9 and 10, by striking out "ON OR BEFORE SEPTEMBER 30, 1991,"

Amend Sec. 3 (Sec. 5508), page 5, line 24, by striking out "1991" and inserting: 1992

Amend Sec. 3 (Sec. 5901), page 7, lines 4 through 26, by striking out all of said lines

Amend Sec. 5, page 8, lines 2 through 9, by striking out all of said lines

Amend Sec. 6, page 8, line 10, by striking out "6" and inserting: 5

On the question,

Will the Senate agree to the amendment?

POINT OF INFORMATION

Senator LOEPER. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Delaware, Senator Loeper, will state it.

Senator LOEPER. Mr. President, on the amendment I would raise a point of information as to whether the sponsor had procured an actuarial note as required by Section 7(b) of the Public Employees Retirement Study Commission Act.

The PRESIDENT. Senator Loeper has raised a point of information requesting information from the sponsor of the amendment.

Senator MELLOW. Mr. President, in response to Senator Loeper's question, if the bill is returned back to its original status, as we had it in Senate Bill No. 405 or if these amendments have been accepted, the answer to the question is yes.

Senator LOEPER. Mr. President, it is my understanding that there is no actuarial note that would exist on the bill previous to the amendment.

The PRESIDENT. If the Senate would be at ease for just a moment, if I could just have both leaders at the rostrum.

The Senate will be at ease.

(The Senate was at ease.)

AMENDMENT WITHDRAWN

Senator MELLOW. Mr. President, I withdraw the amendment.

The PRESIDENT. Senator Mellow withdraws the amendment to Senate Bill No. 405.

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Senator MELLOW. Mr. President, I move that Senate Bill No. 405 revert to Printer's No. 718.

On the question,

Will the Senate agree to the motion?

Senator MELLOW. Mr. President, the Majority Leader asked a question about an actuarial note, and by reverting to Senate Bill No. 405, Printer's No. 718, on March 21st of 1991, the Public Employee Retirement Study Commission did submit an actuarial note, and it is signed by Dale D. Stone as chairperson of that commission, so by reverting to Printer's No. 718, as opposed to considering the amendments that I had offered, we do meet the requests of the Majority Leader and are able to produce an actuarial note. For that particular reason, I would withdraw the amendment and consider this particular proposal as encompassed in Printer's No. 718.

Senator LOEPER. Mr. President, I would oppose the motion to revert to the prior printer's number. I think, specifically, the changes that were made in committee, particularly the changes dealing with the independent counsel issue, which is one that we have had before us on this floor, we have thoroughly debated that issue. In some cases we have passed it and others we have not, but I think the bill as it stands currently is in good shape, and I would ask for a negative vote on the reversion.

Senator MELLOW. Mr. President, I realize that the potential does exist that the Majority Leader, having more votes than we have, probably can prevail in his request to go against the reversion back to Printer's No. 718, but I can recall on the floor of this Senate just last Wednesday when we talked about a kinder and more gentler Pennsylvania. This is a very important issue. It deals with the health, safety and welfare of not only state employees, but also their families. It deals with the tremendous number of people who have been furloughed over the last several months, and it talks about what we can do to kind of make life easier for these people, because I am of the belief and always have been and have expressed it publicly that a more humane way of reducing an employee complement, whether it be for the Commonwealth of Pennsylvania, or for any other governmental agency or in private practice, would be to try to do it either through some type of an attrition program or through some type of an incentive program. What I tried to do, Mr. President, in bringing forward to the Body again the proposal dealing with an incentive buy-out

was to go ahead and make the transition easier. Senate Bill No. 405, which has a history that goes back a number of years, was considered by the Senate Committee on Finance under the direction of the gentleman from Lancaster, Senator Armstrong, as far as the Majority Party would go, and the gentleman from Allegheny, Senator Dawida, as far as the Democrat Party would go, and I believe with one exception, Mr. President, the Committee on Finance, which was responsible for doing the work of the bill, did an outstanding job. Where the problem came was not in the way the bill was reported, basically, by the Committee on Finance, but, in fact, is the way the bill was reported out of the Committee on Appropriations, because what took place, Mr. President, was there were several amendments added in the Committee on Appropriations. The most important amendment that would go ahead and would derail this proposal is an independent status or an independent counsel that would be assigned to the state employees and the public school employees retirement systems. The Majority Party in the Senate knows full well that if this bill passes and the House would agree upon the amendments as they have been put into the Senate bill, the bill faces almost an automatic rejection by the administration and a veto of the bill. Mr. President, if we are here today to do something to try to aid the state employees who have been furloughed, and I believe we are because there are 29 sponsors of the proposal including a number of my Republican colleagues, then what we have to do is address the issue as encompassed in Senate Bill No. 405. If we are here once again, Mr. President, to play our own political mind games that we seem to play almost on a regular basis, then if that is what we are all about here today, then what should happen is the reversion to Printer's No. 718 should be rejected. As the advocate on the Republican side has indicated, we should have little or no need for what takes place with the state employees or the benefit they may be able to sustain by this proposal having passed, and we will once again, Mr. President, continue what appears, in many cases, to be the deplorable political conditions that take place in this Body when we have little or no regard for what is right, but we have only regard for what is political. We have asked to revert to the prior printer's number which would remove at least one area of this proposal that is totally objectionable to the administration, one area of this proposal that would mean full well that this bill will not pass and will not benefit the people that it was supposed to benefit. What we should do is we should strongly consider the proposal and the rejection of the proposal that has been advocated by the gentleman from Delaware, Senator Loeper. I think furthermore, Mr. President, it is important to note that although this bill could benefit up to some 6,000 state employees, that we could save in this fiscal year and in the next fiscal year up to \$90 million, depending on how many people opt for the early incentive. Amendments that were inserted in this proposal and that are being advocated by the Majority Leader of the Senate will spend an additional \$15.2 million in monies that we have not talked about and monies that were never negotiated. So, Mr.

President, if we are all about helping state employees, if we are all about trying to do something with individuals who have been furloughed through no fault of their own, if we are all about trying to do things in a more humane way, then we will go ahead today and we will consider Senate Bill No. 405, Printer's No. 718, which hopefully the House of Representatives will consider in its entirety the way it is. I think we then could try to prevail on the administration to sign the bill, and the immediate benefactors of this proposal would be not only the Pennsylvania taxpayer but, most importantly, the individual who has been furloughed over the last several months. If we are about politics as usual, which unfortunately happens entirely too much in this Body, then what we would be about is the Majority Party would follow in lockstep with the request of the Majority Leader, they would cast all of their votes opposing the reversion, and we will once again be involved in a knock 'em down, drag 'em out political argument which, unfortunately, has marred this particular Session. I would ask, Mr. President, for support of the entire Membership of this Body on the reversion, not as a political consideration but as a bill that is a people's bill. This is not a Democrat bill or a Republican bill. This is a bill that is going to be able to help the 80,000 people who work in Pennsylvania, those who were employed here, those who have been furloughed over the last several months—even though in many cases the only reason why they have been furloughed is because of a fiscal problem and not because of having done a job that is inferior. So, Mr. President, I would ask for an affirmative vote on the reversion.

Senator LOEPER. Mr. President, I cannot let go the remarks of the Minority Leader without responding in some fashion. I think it is interesting when we characterize that the furlough of these folks was through no fault of their own. It was not. It was done by executive order of the Governor of this Commonwealth that these people lost their jobs and were furloughed. We want to try to help these people, and I believe we have taken a responsible approach in order to do this. Unfortunately, what we find is every time we want to talk about an independent counsel to the state retirement boards, to any independent agency, we find great resistance on the part of the Governor's office to do that, because they cannot just rubber stamp whatever the general counsel believes is the proper opinion in the manner in which they disburse their funds. I think when we talk about that this bill can impact upon the state budget in several millions of dollars for this coming fiscal year, what we are saying is once again we are seeing the practice of this administration of putting off into the next year's budget costs that are incurred for this year. Mr. President, if we are really to examine the issue closely, we see that the costs that are going to be borne by this type of program are really in this year's budget and should not be put off until next year because it is that kind of budgeting that has put us in the situation we are in currently. Again, I would recommend a negative vote on the reversion.

Senator MELLOW. Mr. President, I have just one final statement in rebuttal. First of all, the bill was introduced on

February 4th, which was several months from where we stand here today, in late April, in consideration of the bill. Secondly, Mr. President, if the gentleman was totally interested in trying to establish independent counsel not only for the state employees and the public employees retirement systems but also as he tried just recently when he advocated independent counsel for the State System of Higher Education, there are other vehicles on the Calendar in which he can go ahead and he can offer his amendments that would bring about independent counsel for both the State Employees' Retirement System and the Public School Retirement System. The truth of the matter is, Mr. President, this appears to be a vehicle that is well thought out. It is a vehicle that will help the 80,000 people who work in Pennsylvania, and the Republican Party, shame on them, in the Senate of Pennsylvania is not at all in favor of trying to go ahead and to aid people who have been furloughed, as I said before, through no fault of their own. It is highly unfortunate that we have a proposal here that can pass this Body today and can appear on a Calendar over in the House of Representatives in a very short period of time, but, purely and simply because of political consideration, Mr. President, we are going to deny the people of Pennsylvania not only a break because of the amount of money that could be saved through people taking the early incentive in retiring from state government but, more importantly, those thousands of people who have been furloughed over the last several months would have an opportunity of being able to benefit from this incentive program. All this is, Mr. President, once again, is politics as usual, coming from the Majority Party in the Senate of Pennsylvania.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, Senator Fisher, Senator Jubelirer, Senator Tilghman and Senator Shaffer have been called from the floor and I would request temporary Capitol leaves on their behalf.

The PRESIDENT. Senator Loeper requests temporary Capitol leaves for Senator Fisher, Senator Jubelirer, Senator Shaffer and Senator Tilghman. The Chair hears no objection. The temporary Capitol leaves will be granted.

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

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

YEAS—22

Afflerbach	Fattah	Musto	Schwartz
Andrezeski	Fumo	O'Pake	Stapleton
Belan	Jones	Porterfield	Stewart
Bodack	LaValle	Reibman	Stout
Bortner	Lincoln	Scanlon	Williams
Dawida	Mellow		

NAYS—26

Armstrong	Greenwood	Loeper	Robbins
Baker	Hart	Madigan	Salvatore
Bell	Helfrick	Pecora	Shaffer
Brightbill	Holl	Peterson	Shumaker
Corman	Hopper	Punt	Tilghman
Fisher	Jubelirer	Rhoades	Wenger
Greenleaf	Lemmond		

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?

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Hopper and Senator Tilghman. Their temporary Capitol leaves will be cancelled.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, Senator Helfrick has been called from the floor and I would request a temporary Capitol leave on his behalf.

Senator MELLOW. Mr. President, I also need temporary Capitol leaves for Senator Williams and Senator Lincoln.

The PRESIDENT. Senator Helfrick is not on the floor and Senator Loeper requests temporary Capitol leave for him. Senator Mellow asks for temporary Capitol leaves for Senator Williams and Senator Lincoln. The Chair hears no objection. The leaves will be granted.

And the question recurring,
Shall the bill pass finally?

Senator MELLOW. Mr. President, I am not totally startled nor am I amazed that the vote to revert was defeated on party lines by a vote of 22 in the affirmative and 26 against. That only reflects what we have been going through in this Body for the past three and a half months of this legislative Session. Mr. President, I would be foolhardy if I stood in front of the Senate today and asked them to vote against Senate Bill No. 405. I would be foolhardy because, unfortunately, what we have done here is we have asked another body, the House of Representatives, in this legislative operation to go ahead and to do the job that we, unfortunately, in the Senate cannot do, and the reason why we cannot do it, Mr. President, is because the political atmosphere and the political climate in this Body is so highly charged that we cannot even put our differences aside for one moment when the ultimate benefactor of legislation basically is the 80,000 people who work for the Commonwealth. It is more important that the Republican Members of the Senate have it their way in trying to get an independent counsel added to the State System of Higher Education, trying to get an independent counsel added to the State Employees' Retirement System, an independent counsel, Mr. President, to the Public School Retirement System, than it is to go ahead and provide benefits for people who worked for the Commonwealth and who have been furloughed who badly need them. It is really a sad day, Mr. President, in the way we are doing business in this Body, but I must ask the Members of the Senate to go ahead, even though this is not a good pro-

posal the way it is, and to pass Senate Bill No. 405. We will do whatever we possibly can to get the House of Representatives to restore some sense of pride and some sense of reason into where Senate Bill No. 405 should be. They will do that for us, Mr. President, since the Majority Party in the Senate does not want to do it for themselves today, and they will probably have to come back sometime later and appoint a conference committee to work out the differences. But knowing this full well, Mr. President, I do not want one state employee to think that what we have done today is meaningful as far as they are concerned because the only step forward we are taking is that we are moving a vehicle from one Chamber to the other, but what has been encompassed here in Senate Bill No. 405, in fact, it does not do the job for those thousands of people who have written to me, that not only come from my own Senatorial district but I have also received letters from every Senatorial district in this state, including the 26 that are represented by Republicans. I am going to write back to them tomorrow and I am going to tell them how their Senators did not do the job for them, and I will explain in a letter how it was more important on the floor to be political than it was to go ahead and do the right job to aid their constituents who have asked for Senate Bill No. 405 to pass in its original form, in its original printer's number. Knowing this full well, Mr. President, I still would ask that we go ahead and we pass Senate Bill No. 405 so the House can do the job that we, unfortunately, are not prepared to do here this afternoon.

Senator LOEPER. Mr. President, I desire to interrogate the gentleman from Lackawanna, Senator Mellow.

The PRESIDENT. Will the gentleman from Lackawanna, Senator Mellow, permit himself to be interrogated?

Senator MELLOW. I will, Mr. President.

Senator LOEPER. Mr. President, when we were dealing with the issue of the reversion to the prior printer's number, the gentleman indicated that there was going to be an additional cost of this legislation should it pass the Senate. I was wondering if he could tell me how much additional cost he had said in his earlier remarks?

Senator MELLOW. Mr. President, I sure can. I am sorry that his Committee on Appropriations did not share the information with him, because if they were doing their job for the Majority, they would have had that information. But the additional cost because of the moving of a date from July of 1992 to July of 1991, as far as the first payment would go, repayment back to the fund from the Commonwealth, would be somewhere in the vicinity of \$8 to \$9 million, Mr. President.

Senator LOEPER. Mr. President, is it true then what the gentleman was proposing by the reversion, that it was simply the deferment of that cost to roll it into the next year's budget?

Senator MELLOW. No, Mr. President. First of all, there is no way we are going to know what the numbers are. I think it is important that the Majority must realize that the window on the bill in the reversion was open until September 30th of 1991, and it is virtually impossible to try to ascertain what the

cost would be on July 1st of 1991, knowing full well that there was a window open for three additional months. This was brought out in the meeting of the Committee on Finance. It was discussed by the Members. I thought it was properly handled, actually, by the Committee on Finance, and I can remember a few of the Republican Members talking about it, as did the Democrat Members at the Committee. It is virtually impossible to know what a cost will be in July when a window is open for three additional months through the month of September.

Senator LOEPER. Mr. President, I thank the gentleman.

Mr. President, I think it is interesting that the actual cost determination is based on how many people exercised that early retirement option, and it is really not essential to commencing this payment because this type of information is always derived from actuarial estimates. So in other words, it is very difficult, if not impossible, at this point to tell what the exact cost of the bill would be.

Mr. President, I would ask for an affirmative vote. I believe this legislation will certainly help to bring relief to those people who have been furloughed, who have lost their jobs. In many cases I think we have all heard from people who have been career employees in the state, people with 23 years of service, people with 30 years of service and all of a sudden have lost their jobs because of the fiscal mismanagement of this administration in estimating the revenues available to them. I believe, Mr. President, this represents a responsible approach to trying to help deal with those people and some of their problems.

Senator MELLOW. Mr. President, just one final statement. The only thing I can suggest as far as a responsible approach will be that I think it is important that those individuals who have corresponded with our offices should know the truth as to why Senate Bill No. 405 has not been passed prior to this date, and why Senate Bill No. 405 has been put in a position where the House of Representatives is going to have to do our work. I think the only responsible thing that we could do as Members of this General Assembly would be to write back to our constituents and to explain to them how the Republican Party in the Senate has derailed the passage of Senate Bill No. 405 and has opted to allow the House of Representatives to do their work.

Senator BELL. Mr. President, I am waiting over here to hear the Minority Chairman tell why his party does not want to have the retirement boards have independent counsel. Why should they have a counsel that is a stooge of the Governor?

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—47

Afflerbach	Fisher	Loeper	Salvatore
Andrezeski	Greenleaf	Madigan	Scanlon
Armstrong	Greenwood	Mellow	Schwartz
Baker	Hart	Musto	Shaffer
Belan	Helfrick	O'Pake	Shumaker
Bell	Holl	Pecora	Stapleton
Bodack	Hopper	Peterson	Stewart

Bortner	Jones	Porterfield	Stout
Brightbill	Jubelirer	Punt	Tilghman
Corman	LaValle	Reibman	Wenger
Dawida	Lemmond	Rhoades	Williams
Fattah	Lincoln	Robbins	

NAYS—1

Fumo

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 OVER IN ORDER

SB 431 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL LAID ON THE TABLE

SB 444 (Pr. No. 471) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 15, 1980 (P. L. 950, No. 164), entitled "Commonwealth Attorneys Act," classifying the State System of Higher Education as an independent agency entitled to appoint and fix the compensation of legal counsel.

Upon motion of Senator LOEPER, and agreed to, the bill was laid on the table.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

SB 12 (Pr. No. 12) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for times when lighted head lamps must be displayed.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 25 and SB 53 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION AMENDED

SB 112 (Pr. No. 112) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of aggravated assault.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator BORTNER offered the following amendment No. A0527:

Amend Title, page 1, line 3, by removing the period after "assault" and inserting: and for the grading of retail theft of a firearm.

Amend Sec. 1, page 1, line 6, by striking out "Section 2702(a)(5)" and inserting: Sections 2702(a)(5) and 3929(b)

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting: are

Amend Sec. 1, page 2, by inserting between lines 3 and 4:

§ 3929. Retail theft.

(b) Grading.—

(1) Retail theft constitutes a:

(i) Summary offense when the offense is a first offense and the value of the merchandise is less than \$150.

(ii) Misdemeanor of the second degree when the offense is a second offense and the value of the merchandise is less than \$150.

(iii) Misdemeanor of the first degree when the offense is a first or second offense and the value of the merchandise is \$150 or more.

(iv) Felony of the third degree when the retail theft involves theft of a firearm or when the offense is a third or subsequent offense, regardless of the value of the merchandise.

(2) Amounts involved in retail thefts committed pursuant to one scheme or course of conduct, whether from the same store or retail mercantile establishment or several stores or retail mercantile establishments, may be aggregated in determining the grade of the offense.

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?

Senator GREENLEAF offered the following amendment No. A0439 and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 1, page 1, line 6, by striking out "(5)"

Amend Sec. 1 (Sec. 2702), page 1, line 11, by striking out all of said line and inserting:

(1) attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life;

(2) attempts to cause or intentionally, knowingly or recklessly causes serious bodily injury to a police officer, firefighter, county adult probation or parole officer, county juvenile probation or parole officer [or], an agent of the Pennsylvania Board of Probation and Parole, judge of any court in the unified judicial system, the Attorney General of Pennsylvania, a deputy attorney general, district attorney, assistant district attorney, State law enforcement official, local law enforcement official, Federal law enforcement official, or person employed to assist or assisting any law enforcement official while in the performance of duty or as a result of his official position, or to an employee of an agency, company or other entity engaged in public transportation, while in the performance of duty;

(3) attempts to cause or intentionally or knowingly causes bodily injury to a police officer, firefighter or county adult probation or parole officer, county juvenile probation or parole officer [or], an agent of the Pennsylvania Board of Probation and Parole, judge of any court in the unified judicial system, the Attorney General of Pennsylvania, a deputy attorney general, district attorney, assistant district attorney, State law enforcement official, local law enforcement official, Federal law enforcement official, or person employed to assist or assisting any law enforcement official while in the performance of duty or as a result of his official position;

(4) attempts to cause or intentionally or knowingly causes bodily injury to another with a deadly weapon; or

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILL OVER IN ORDER

HB 157 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 158 (Pr. No. 158) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring pedalcycle helmets for persons five years of age or younger; and providing a penalty.

Considered the second time and agreed to,

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

SB 206 (Pr. No. 215) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for a permit for the operation of chemical and fertilizer vehicles.

Considered the second time and agreed to,

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

SB 274 (Pr. No. 283) — The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge on which Main Street crosses Trout Creek in the Borough of Slatington, Lehigh County, as the General Thomas R. Morgan Bridge.

Considered the second time and agreed to,

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

SB 278 (Pr. No. 287) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 20, 1966 (3rd Sp. Sess., P. L. 96, No. 6), entitled "Mental Health and Mental Retardation Act of 1966," repealing provisions relating to county liability; and discharging certain county liability.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 323, 345 and 347 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SB 401 (Pr. No. 426) — The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, relating to laws that require political subdivisions to spend funds or that limit the ability of political subdivisions to raise revenue.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator LOEPER. Mr. President, I move that Senate Bill No. 401 go over in its order.

On the question,

Will the Senate agree to the motion?

Senator FUMO. Mr. President, I oppose the motion to go over this bill. This is very important legislation. It was introduced in the last Session. It is sponsored by myself and the gentleman from Allegheny, Senator Pecora. This is the constitutional amendment that would prohibit the state from mandating programs to local governments without funding them. We look all over Pennsylvania, Mr. President, and we find every county government in Pennsylvania is in trouble because of state mandates. We should deal with this issue now, once and for all, and be honest and aboveboard with the county commissioners and local governmental officials. This bill has received widespread support in Pennsylvania, Mr. President. I have no idea why the Majority would want to go over it and kill it. I cannot figure that out. I would ask for a negative vote, Mr. President.

Senator LOEPER. Mr. President, it is simply the intent of the Majority not to deal with this bill today. There is no intent to eventually kill the bill. I would simply, again, move that the bill go over.

Senator FUMO. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Loeper.

The PRESIDENT. Will the gentleman from Delaware, Senator Loeper, permit himself to be interrogated?

Senator LOEPER. I will, Mr. President.

Senator FUMO. Mr. President, can the Majority Leader indicate to me when we could consider this bill? I do not have any problem withdrawing my objection if he gives me a reasonable answer.

Senator LOEPER. Mr. President, in a timely fashion.

Senator FUMO. Mr. President, in a timely fashion? I love the gentleman dearly, but that is not specific enough.

I would ask that we oppose the motion and we will continue to oppose the motion to go over until we get a better answer.

And the question recurring,

Will the Senate agree to the motion?

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

YEAS—26

Armstrong	Greenwood	Loeper	Robbins
Baker	Hart	Madigan	Salvatore
Bell	Helfrick	Pecora	Shaffer
Brightbill	Holl	Peterson	Shumaker
Corman	Hopper	Punt	Tilghman

Fisher	Jubelirer	Rhoades	Wenger
Greenleaf	Lemmond		

NAYS—22

Afflerbach	Fattah	Musto	Schwartz
Andrezeski	Fumo	O'Pake	Stapleton
Belan	Jones	Porterfield	Stewart
Bodack	LaValle	Reibman	Stout
Bortner	Lincoln	Scanlon	Williams
Dawida	Mellow		

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

The PRESIDENT. Senate Bill No. 401 will go over in its order.

SB 466 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS REREFERRED

SB 515 Pr. No. 544 — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 18, 1984 (P. L. 384, No. 81), entitled "Amusement Ride Inspection Act," providing for the Amusement Ride Safety Advisory Board.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

SB 517 (Pr. No. 1050) — 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 domestic violence and rape victims' services.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION

SB 570 (Pr. No. 599) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172, No. 290), entitled "Borough State Highway Law," changing a State route.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

BILL REREFERRED

SB 771 (Pr. No. 816) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for installation cost of certain traffic-control signals.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION AMENDED

SB 870 (Pr. No. 939) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicle widths and weights and for operation of chemical and fertilizer vehicles.

The bill was considered.

On the question,

Will the Senate agree to the bill on second consideration?

Senator CORMAN offered the following amendment No. A0632 and, if agreed to, asked that the bill be considered for the second time:

Amend Sec. 1, page 1, line 6, by inserting after "(5)": , (e)

Amend Sec. 1 (Sec. 4921), page 2, by inserting between lines 3 and 4:

(e) Mirrors [and], sunshades and tarpaulins.—Mirrors [and], sunshades and tarpaulins may extend beyond the maximum width of a vehicle as follows:

(1) Mirrors may extend on each side a maximum of six inches beyond the width of the vehicle, trailer or load, whichever is greater.

(2) Sunshades may extend a maximum of six inches on each side of the vehicle.

(3) Tarpaulins and the mechanical components of the devices used to secure tarpaulins may extend no more than six inches on each side of a vehicle or trailer.

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 ON SECOND CONSIDERATION

SB 873 (Pr. No. 942) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," requiring instruction on school bus safety.

Considered the second time and agreed to,

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

RECESS

Senator LOEPER. Mr. President, at this time I would ask for a very brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to take place in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. Senator Loeper has asked for a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to begin immediately and for that purpose, the Senate will stand in brief recess.

AFTER RECESS

The PRESIDING OFFICER (David J. Brightbill) in the Chair.

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

SECRETARY OF AGING

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Linda M. Rhodes, 82 Ringneck Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as Secretary of Aging, to serve until the third Tuesday of January, 1995 and until her successor shall have been appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

February 8, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dorris Jean Keen (Democrat), 120 Verna Road, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1993, and until her successor is appointed and qualified, vice Elizabeth Fenton, Lewisburg, resigned.

ROBERT P. CASEY.

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

February 8, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Adrian E. Spielman (Republican), 735 Market Street, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1991, and until his successor is appointed and qualified, vice Harris Lemon, Mifflinburg, resigned.

ROBERT P. CASEY.

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

February 8, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Matthew Silberman, Ph.D. (Democrat), 121 Verna Road, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for reappointment as a member of the Union County Board of Assistance, to serve until December 31, 1991, and until his successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE CHILDREN'S
TRUST FUND BOARD

January 16, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Paul S. DiLorenzo, 3404 Vaux Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for reappointment as a member of the Children's Trust Fund Board, to serve for a term of three years, and until his successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE CHILDREN'S
TRUST FUND BOARD

January 16, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Margaret McAndrew Petruska, 1853 Graham Boulevard, Pittsburgh 15235, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Children's Trust Fund Board, to serve for a term of three years, and until her successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE COUNCIL OF TRUSTEES
OF EAST STROUDSBURG UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION

January 28, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert J. O'Hara, Jr., 2336 South Pewter Drive, Macungie 18062, Lehigh County, Sixteen Senatorial District, for reappointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1997, and until his successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Philomena A. Dymond, 1302 Ridgeview Drive, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until her successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE PENNSYLVANIA HISTORICAL
AND MUSEUM COMMISSION

January 16, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Larie Pinte, 7035 Meadville Road, Girard 16417, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified, vice Vivian W. Piasecki, Haverford, resigned.

ROBERT P. CASEY.
MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

January 8, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas F. Torbik, 5 Irving Place, Wilkes-Barre 18702, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 1995, and until his successor is appointed and qualified, vice Ronald S. Mintz, Esquire, Horsham, whose term expired.

ROBERT P. CASEY.
MEMBER OF THE INDUSTRIAL BOARD

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barry J. Buskey, 312 North 31st Street, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Industrial Board, to serve until the third Tuesday of January, 1995 and until his successor is appointed and qualified.

ROBERT P. CASEY.
MEMBER OF THE INDUSTRIAL BOARD

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Julia L. Maietta, 130 Anderson Avenue, Curwensville 16833, Clearfield County, Thirty-fifth Senatorial District, for reappointment as a member of the Industrial Board, to serve until the third Tuesday of January, 1995 and until her successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE INDUSTRIAL BOARD

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Oscar R. Martinez, 265 Mathers Road, Ambler 19002, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Industrial Board, to serve until the third Tuesday of January, 1995 and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE COUNCIL OF TRUSTEES
OF MANSFIELD UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION

January 29, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas M. Ford, Box 394Z, R. D. #3, Mount Cobb 18436, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January, 1997, and until his successor is appointed and qualified, vice Dr. Andrew E. Michanowicz, Pittsburgh, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION

February 21, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William R. Collins, 10 Carriage Road, New Cumberland 17070, York County, Thirty-first Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until February 21, 1994 and until his successor is appointed and qualified.

ROBERT P. CASEY.

COMMONWEALTH TRUSTEE OF THE
UNIVERSITY OF PITTSBURGH—OF
THE COMMONWEALTH SYSTEM
OF HIGHER EDUCATION

January 10, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Paul J. Chappano, 712 Filbert Street, Pittsburgh 15232-2404, Allegheny County, Forty-third Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh—of the Commonwealth System of Higher Education, to serve until October 5, 1994, and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF PODIATRY

January 14, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas H. Coleman, M.D., 97 Lincoln Avenue, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

February 4, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sara Sattler, 2220 Wightman Street, Apartment 201, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January, 1997, and until her successor is appointed and qualified.

ROBERT P. CASEY.

PROTHONOTARY AND CLERK OF COURTS,
VENANGO COUNTY

December 28, 1990.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Evelyn McLaughlin, 8 Gateway Drive, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as Prothonotary and Clerk of Courts in and for the County of Venango, to serve until the first Monday of January, 1992, vice Donald F. Fischer, resigned.

ROBERT P. CASEY.

COMMISSIONER OF THE
PENNSYLVANIA STATE POLICE

January 18, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lieutenant Colonel Glenn A. Walp, 154 Market Street, Highspire 17034, Dauphin County, Fifteenth Senatorial District, for appointment as Commissioner of the Pennsylvania State Police, to serve until the third Tuesday of January, 1995 and until his successor shall have been appointed and qualified, vice The Honorable Ronald M. Sharpe, Harrisburg, resigned.

ROBERT P. CASEY.

SECRETARY OF TRANSPORTATION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Howard Yerusalem, 2206 Dover Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as Secretary of Transportation, to serve until the third Tuesday of January, 1995 and until his successor shall have been appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION

March 1, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert A. Brady, 1301 Kimberly Drive, Philadelphia 19151, Philadelphia County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years or until his successor shall be duly appointed and qualified, but not longer than ninety days beyond that period, whichever period is shorter, vice Peter J. Camiel, Philadelphia, deceased.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD OF
VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

January 18, 1991

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert G. Pickerill, 6 Alexandria Place, Blakely 18447, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph H. Campbell, 140 Lafayette Street, Doylestown 18901, Bucks County, Tenth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel B. Ellis, 3907 Brookdale Avenue, Huntingdon Valley 19006, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John D. Erb, 424 Madison Avenue, Hatboro 19040, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert A. Giagnacova, 12 St. James Place, Yardley 19067, Bucks County, Tenth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ann Hawkes Hutton, Shadyside, M.R., Bristol 19007, Bucks County, Sixth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until her successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON
CROSSING PARK COMMISSION

January 17, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Beverly W. Magill, Box 56, Lurgan Road, R. D. 2, New Hope 18938, Bucks County, Tenth Senatorial District, for reappointment as a member of the Washington Crossing Park Commission, to serve for a term of five years and until her successor is appointed and qualified.

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
BUCKS COUNTY

March 20, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. Barry McAndrews, Esquire, 2350 Greensward South, Warrington 18976, Bucks County, Tenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Bucks County, to serve until the first Monday of January, 1992, pursuant to Act 159, approved December 7, 1990.

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
LEHIGH COUNTY

January 3, 1991.

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas A. Wallitsch, Esquire, 2930 Woods Hollow Lane, Allentown 18103, Lehigh County, Sixteenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Lehigh County, to serve until the first Monday of January, 1992, vice The Honorable Maxwell E. Davison, resigned.

ROBERT P. CASEY.

NOMINATIONS LAID ON THE TABLE

Senator SALVATORE. Mr. President, I request the nominations just read by the Clerk be laid on the table.

The PRESIDING OFFICER. The nominations will be laid on the table.

**COMMUNICATIONS FROM THE GOVERNOR
REPORTED FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator SALVATORE, by unanimous consent, reported from the Committee on Rules and Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

DISTRICT JUSTICE

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 1991 for the appointment of William Rocky Brown, III, 23 West Eighth Street, Chester 19013, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-2-21, to serve until the first Monday of January, 1992, vice William L. Brown, Jr., deceased.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

DISTRICT JUSTICE

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 1991 for the appointment of David J. Murphy, Esquire, 1 Scott Lane, Aston 19014, Delaware County, Ninth Senatorial District, as District Justice in and for the County of Delaware, Magisterial District 32-2-38, to serve until the first Monday of January, 1992, vice Henry J. Silva, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 17, 1991 for the appointment of Edward J. Manley, 10 Lakeside Drive, Clarks Summit 18643, Lackawanna County, Twenty-second Senatorial District, as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE INDUSTRIAL BOARD

February 8, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 17, 1991 for the reappointment of L. Robert Kimball, 619 West Horner Street, Ebensburg 15931, Cambria County, Thirty-fifth Senatorial District, as a member of the Industrial Board, to serve until the third Tuesday of January, 1995 and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

JUDGE, COURT OF COMMON PLEAS,
CRAWFORD COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of Anthony Joseph Vardaro, Esquire, 654 Park Avenue, Meadville 16335, Crawford County, Fiftieth Senatorial District, as Judge of the Court of Common Pleas of Crawford County, to serve until the first Monday of January, 1992, vice The Honorable P. Richard Thomas, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
LEBANON COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of John Charles Tylwalk, Esquire, 231 East Penn Avenue, Cleona 17042, Lebanon County, Forty-eighth Senatorial District, as Judge of the Court of Common Pleas of Lebanon County, to serve until the first Monday of January, 1992, vice The Honorable Thomas Gates, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY

April 22, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of Hugh F. Mundy, Esquire, 74 Lehman Avenue, Dallas 18612, Luzerne County, Twentieth Senatorial District, as Judge of the Court of Common Pleas of Luzerne County, to serve until the first Monday of January, 1992, vice The Honorable Bernard J. Podcasy, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

April 15, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 8, 1991 for the appointment of Nitza I. Quinones Alejandro, Esquire, 907 Ronnie Circle, Philadelphia 19128, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January, 1992, vice The Honorable Eugene H. Clarke, Jr., mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 11, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 13, 1990 for the appointment of William H. Reed, Jr. (Public Member), 8017 Thon Drive, Verona 15147, Allegheny County, Forty-fourth Senatorial District, as a member of the State Board of Landscape Architects, to serve until April 11, 1991, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Judith C. Lieberman, Allentown, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
MEMBER OF THE STATE PLANNING BOARD

February 20, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 8, 1991 for the appointment of Joann Bell, 8439 Suffolk Road, Philadelphia 19138, Philadelphia County, Eighth Senatorial District, as a member of the State Planning Board to serve for a term of four years and until her successor is appointed and qualified, pursuant to Act 42, approved July 7, 1989.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS

April 17, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 10, 1991 for the appointment of Sydney Marie Avent, Esquire (Public Member), 6712 Anderson Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, pursuant to Act 98, approved July 10, 1990.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.
MEMBER OF THE STATE BOARD OF
VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

April 1, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 18, 1991 for the reappointment of Arthur Loch, Loch's Mobilehome Sales and Park, 500 Madison Avenue, Hyde Crest, Reading 19605, Berks County, Eleventh Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD OF
VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS

February 20, 1991.

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 2, 1991 for the appointment of Raymond Sannie, 2638 Columbia Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until April 6, 1991 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Masi, Erie, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

ROBERT P. CASEY.

NOMINATIONS RETURNED TO THE GOVERNOR

Senator SALVATORE. Mr. President, I move the nominations just read by the Clerk be returned to His Excellency, the Governor.

The motion was agreed to.

The PRESIDING OFFICER. The nominations will be returned to the Governor.

UNFINISHED BUSINESS
RESOLUTIONS REREFERRED

Senator LOEPER, from the Committee on Rules and Executive Nominations, returned to the Senate **Senate Resolution No. 26**, which was rereferred to the Committee on Banking and Insurance, and **Senate Resolution No. 49**, which was rereferred to the Committee on Judiciary.

REPORT OF COMMITTEE OF CONFERENCE
SUBMITTED AND LAID ON THE TABLE

Senator HELFRICK submitted the Report of Committee of Conference on **HB 244**, which was laid on the table.

SENATE RESOLUTION

DECLARING THE WEEK OF APRIL 22
THROUGH 28, 1991, AS "GRANGE WEEK"
IN PENNSYLVANIA

Senators BORTNER, STAPLETON, HELFRICK, AFFLERBACH and SCHWARTZ offered the following resolution (**Senate Resolution No. 53**), which was read, considered and adopted:

In the Senate, April 22, 1991.

A RESOLUTION

Declaring the week of April 22 through 28, 1991, as "Grange Week" in Pennsylvania.

WHEREAS, The Grange is the oldest farm organization in the country, tracing its history back to the year 1867 when the organization was founded by Oliver Hudson Kelley; and

WHEREAS, The Pennsylvania State Grange serves as an organized voice for rural families through 505 groups across this Commonwealth; and

WHEREAS, The Grange provides a means for rural families to voice their opinions about legislation affecting the rural way of life; and

WHEREAS, The Grange, founded as a fraternal organization for farmers, now has a membership that includes people from urban as well as rural communities; and

WHEREAS, More than 350,000 Grange members throughout the United States will be celebrating a national Grange Week from April 21 through April 27; therefore be it

RESOLVED, That the Senate declare the week of April 22 through April 28, 1991, as "Grange Week" in Pennsylvania in honor and commemoration of the Grange.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Charles F. Baker, Mr. and Mrs. Harold DeLong, Mr. and Mrs. Isaac S. Widders, Dr. and Mrs. Henry G. Bucher, Mr. and Mrs. Carroll Stokes and to Tom Barley by Senator Armstrong.

Congratulations of the Senate were extended to Jay W. Irwin by Senator Armstrong and Senator Wenger.

Congratulations of the Senate were extended to Henry Adams and to James A. Fiore by Senator Belan.

Congratulations of the Senate were extended to Mattie Lovelace by Senator Bortner.

Congratulations of the Senate were extended to Peter Minear and to Sergeant Charles P. Wagner by Senator Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. Ralph S. Pringle, Mark A. Fogleman, Lynn Lee, Enakshi Bose, Joseph Rozelle, Iain Keddie and to Debra Kerr by Senator Corman.

Congratulations of the Senate were extended to Dr. Samuel P. Hays by Senator Dawida.

Congratulations of the Senate were extended to Martin Kauer, Chief Inspector Edward T. Zak and to St. Francis Academy Girls Basketball Team of Pittsburgh by Senator Fisher.

Congratulations of the Senate were extended to Anthony Joseph Goreski, III, Mary Ann Flanigan and to Mildred Finnemeyer by Senator Holl.

Congratulations of the Senate were extended to W. Cody Anderson by Senator Jones.

Congratulations of the Senate were extended to Hattie Karl and to Raphael J. Winters by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur Kingston, Mr. and Mrs. Robert F. Bachman,

Mr. and Mrs. Kenneth A. Martin, Mr. and Mrs. Frank McDonough, Mr. and Mrs. William Risboskin, Mr. and Mrs. William Kahler, Mr. and Mrs. James F. Graback, Wyoming Valley Chapter of the Daughters of the American Revolution, Lake-Lehman Junior High School Wrestling Team, Lake-Lehman Senior High School Wrestling Team and to Independent Fire Company No. 1 of Kingston by Senator Lemmond.

Congratulations of the Senate were extended to James R. Dugger by Senator Lincoln.

Congratulations of the Senate were extended to Kevin Hugh Clarke by Senator Madigan.

Congratulations of the Senate were extended to Ronnie Graham by Senator Pecora.

Congratulations of the Senate were extended to West Penn Power Company by Senator Porterfield.

Congratulations of the Senate were extended to Ronald McDonald Children's Charities and Easter Seal Societies by Senator Punt.

Congratulations of the Senate were extended to Carol Steiner by Senator Punt and Senator Shumaker.

Congratulations of the Senate were extended to Paul T. Morris by Senator Rhoades.

Congratulations of the Senate were extended to Allegheny College of Meadville and to Woodcock Center Grange No. 1034 by Senator Robbins.

Congratulations of the Senate were extended to Mark Bonitatibus by Senator Salvatore.

Congratulations of the Senate were extended to Gladys Neely by Senator Shaffer.

Congratulations of the Senate were extended to Pennsylvania State Civil Service Commission by Senator Shumaker.

Congratulations of the Senate were extended to R. Raymond Lenz and to Goodwill Industries of The Cone-maugh Valley, Incorporated, by Senator Stewart.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Edward F. McGoldrick by Senator Bell.

Condolences of the Senate were extended to the family of the late Donald J. Majikas by Senator Rhoades.

PETITIONS AND REMONSTRANCES

Senator BELAN. Mr. President, I offer this statement to be entered into the Senate Journal in reference to Senate Bill No. 820.

(The following prepared statement was made a part of the record at the request of the gentleman from Allegheny, Senator BELAN:)

Last week, the Senate voted unanimously to send to the House a bill which would permit state troopers to be assigned to patrol individual communities. A similar bill was vetoed by the Governor last year.

On first glance, the bill seems reasonable: The measure provides that communities who can't afford to fund their own police forces can contract with the state police to keep law and order. Upon closer inspection, however, the bill may set a precedent which could be disastrous for distressed communities.

Clairton, a Third Class City in my district, is now being patrolled by the state police without direct reimbursement from the city to the state. The city is being patrolled by the state police because it is an Act 47 designated distressed community whose state mandated recovery plan prohibits the financing of local police services.

Clairton, despite valiant recovery efforts by local officials, is still without the financial resources to fund local police operations. The city is broke. It needs the protection of the state police to provide a bridge to a future time when it is fully able to afford its own police force.

If the legislation which the Senate adopted last week is signed into law, other communities will soon be contracting for state police protection. Under the bill, these communities will have to reimburse the state police for having troopers patrol their streets. Undoubtedly, this contract will become expensive and a drain on the local tax resources.

I predict that when the local officials realize that some communities are getting this help from the state for free, they will begin to cry foul. Then, these same municipal officials who now laud the passage of this bill will contact their Senators and Representatives and ask them to either change the law to force the distressed communities to start footing the bill for police services or request free police services "just like they are getting in Clairton. What's good enough for Clairton," they will say, "is good for us."

I voted against the bill last year because I was trying to prevent this situation from occurring. I am concerned that distressed municipalities like Clairton who have no recourse for police protection other than the state police will be forced to ante up and pay their "fair share," even though in doing so it will send them deeper into debt. This is not fair at all.

Clairton did not choose to be distressed. It did not choose to be financially strapped. The economic dislocation of the 1980s and the changing face of heavy manufacturing caused an employment and population shift which is still to this day affecting Clairton and other Mon Valley communities.

Clairton cannot be faulted for having its industrial base erode and its tax base shrink. It is not complaining or whining about why it happened in Clairton and why it didn't happen elsewhere. It is working to recover and is beginning to overcome the many challenges which it faces. It does not need to be burdened and pushed back into the downward economic spiral. That is exactly what will happen if an attempt is made to force Act 47 communities to reimburse the state for police protection. That is my fear. What some see as "fair" in municipal police protection is, in fact, inherently "unfair."

Although I was prevailed upon to vote for the bill this year as a part of the budget agreement, I made it clear that I stand ready to vehemently object to any effort which unfairly

impairs the ability of a distressed community to recover. This includes any proposal which is directed at compelling an Act 47 community like Clairton to reimburse the state for police protection when it is not financially prepared to do so.

I stand behind Clairton and other distressed communities in their revitalization efforts. These communities have made great strides. And, they need the state's help in continuing redevelopment efforts. What they don't need is more obstacles and impediments.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, APRIL 23, 1991

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| 9:30 A.M. | AGRICULTURE AND RURAL AFFAIRS (to consider the confirmation hearing of Boyd R. Wolff, Department of Agriculture) | Room 460
4th Floor
North Wing |
| 10:30 A.M. | EDUCATION (to consider Regulations #6-117 - State Board of Licensed Schools - Fees and Regulations #6-119 - State Board of Private Academic School - Fees) | Room 461
4th Floor
North Wing |
| 11:30 A.M. | JUDICIARY (to consider Senate Bills No. 151, 197, 801 and House Bill No. 14, nomination of Daniel J. Menniti, Ph.D for member of the Board of Pardons) | Room 8E-B
Hearing Room
East Wing |

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Tuesday, April 23, 1991, at 1:00 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:00 p.m., Eastern Daylight Saving Time.