

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JULY 17, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 53

SENATE

WEDNESDAY, July 17, 1991.

The Senate met at 5:30 p.m., Eastern Daylight Saving Time.

The PRESIDENT pro tempore (Robert C. Jubelirer) in the Chair.

PRAYER

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

Our Heavenly King and Comforter, we invoke Your blessing on this Senate Chamber this afternoon. Enlighten the mind of each Senator with Your divine spirit so that the legislation which is enacted will be according to Your will rather than the will of men. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of July 16, 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 pro tempore 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 WASHINGTON CROSSING PARK COMMISSION

July 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, Helen A. Heinz, 1355 Edgewood Road, Yardley 19067, Bucks County, Tenth Senatorial District, for appointment 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, vice Sandra Kelly, Philadelphia, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

July 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, Charles H. Steinbach, 923 Dick Avenue, Warminster 18974, Bucks County, Tenth Senatorial District, for appointment 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, vice Anthony Garvan, Ph.D., Spring House, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

July 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, John D. Faulds (Republican), Box 3, Sylvan Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1992, and until his successor is appointed and qualified, vice Gregory L. Murawsky, Altoona, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

July 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 E. Hair (Republican), 203 Llyswen Court, Altoona 16602, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1991, and until his successor is appointed and qualified, vice Father Bonaventure Midili, Altoona, resigned.

ROBERT P. CASEY.

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

July 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, Robert Isacke (Republican), 516 27th Avenue, Altoona 16601, Blair County, Thirtieth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 1992, and until his successor is appointed and qualified, vice Barry J. Halbritter, Duncansville, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE

July 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, Jody Huston (Republican), 1507 Oneida Street, Huntingdon 16652, Huntingdon County, Thirtieth Senatorial District, for appointment as a member of the Huntingdon County Board of Assistance, to serve until December 31, 1993, and until her successor is appointed and qualified, vice W. Ruth Barner, Huntingdon, resigned.

ROBERT P. CASEY.

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

The PRESIDENT pro tempore 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:

SECRETARY OF COMMERCE

July 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 May 17, 1991 for the appointment of Andrew T. Greenberg, 931 North Front Street, Apartment 507, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Secretary of Commerce, to serve until the third Tuesday of January, 1995 and until his successor shall have been appointed and qualified, vice The Honorable Raymond R. Christman, Pittsburgh, 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 LAURELTON CENTER

July 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 July 15, 1991 for the appointment of John Hohenwarter, 11 Meadowbrook Lane, Elizabethtown 17022, Lancaster County, Thirteenth Senatorial District, as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1995 and until his successor is appointed and qualified, vice Evelyn C. Marboe, State College, confirmed to another position.

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

ROBERT P. CASEY.

BILL INTRODUCED AND REFERRED

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

July 17, 1991

Senators RHOADES, FATTAH, BAKER, REIBMAN, MADIGAN, GREENWOOD, CORMAN, BELAN, BORTNER, SCHWARTZ, AFFLERBACH and ANDREZESKI presented to the Chair **SB 1268**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," providing for a parent involvement program and for curriculum regulations.

Which was committed to the Committee on EDUCATION, July 17, 1991.

GENERAL COMMUNICATION

**ONE HUNDRED TWENTY FIRST ANNUAL
REPORT OF THE BOARD OF DIRECTORS
OF CITY TRUSTS OF THE CITY
OF PHILADELPHIA**

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

CITY OF PHILADELPHIA, TRUSTEE
BOARD OF DIRECTORS OF CITY TRUSTS

July 9, 1991

Mr. Mark Corrigan
Secretary of the Senate
Commonwealth of Pennsylvania
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Corrigan:

I am pleased to enclose herewith the One Hundred Twenty First Annual Report of the City of Philadelphia, Trustee, acting by the Board of Directors of City Trusts.

Sincerely,

MARLENE BRENNER
Secretary

The PRESIDENT pro tempore. This report will be filed in the Library.

REPORT FROM COMMITTEE

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

HB 221 (Pr. No. 2301) (Rereported)

An Act providing for the establishment of a summer foreign language academy program for secondary school students throughout this Commonwealth; and providing for powers and duties of the Department of Education.

LEGISLATIVE LEAVES

Senator LOEPER. Mr. President, I request a legislative leave on behalf of Senator Bell.

The PRESIDENT pro tempore. Senator Loeper requests a legislative leave on behalf of Senator Bell. The Chair hears no objection. That leave is granted.

Senator STAPLETON. Mr. President, I request a legislative leave for Senator Lynch and a temporary Capitol leave for Senator Williams.

The PRESIDENT pro tempore. Senator Stapleton requests a legislative leave for Senator Lynch and a temporary Capitol leave for Senator Williams. The Chair hearing no objection, those leaves will be granted.

SPECIAL ORDER OF BUSINESS

SUPPLEMENTAL CALENDAR NO. 1

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 221 (Pr. No. 2301) — The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of a summer foreign language academy program for secondary school students throughout this Commonwealth; and providing for powers and duties of the Department of Education.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEAS—46

Afflerbach	Greenleaf	Loeper	Robbins
Andrezski	Greenwood	Lynch	Salvatore
Armstrong	Hart	Madigan	Scanlon
Baker	Helfrick	Mellow	Schwartz
Belan	Holl	Musto	Shaffer
Bell	Hopper	O'Pake	Shumaker
Bortner	Jones	Pecora	Stapleton
Brightbill	Jubelirer	Peterson	Stewart

Corman	LaValle	Punt	Tilghman
Fattah	Lemmond	Reibman	Wenger
Fisher	Lewis	Rhoades	Williams
Fumo	Lincoln		

NAYS—0

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

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1197 and **HB 1344** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 279, 401 and **1007** — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

UNFINISHED BUSINESS

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Aaron J. Brubaker, Mr. and Mrs. Jacob L. Brown, Mr. and Mrs. John O. Brown, Mr. and Mrs. Fred H. Ranck, Mr. and Mrs. Homer C. Bachert, Mr. and Mrs. John L. Summers, Mr. and Mrs. Richard Geiger and to Zachariah Blott by Senator Armstrong.

Congratulations of the Senate were extended to the Kiwanis Club of Erie by Senator Andrezski.

Congratulations of the Senate were extended to Mr. and Mrs. Regis Klug by Senator Bodack.

Congratulations of the Senate were extended to Sylvia L. Cauchon and to members of the Georgia, SSR Folk Dance Collective by Senator Bortner.

Congratulations of the Senate were extended to Mr. and Mrs. Thurlow V. Borley, Mr. and Mrs. Carl H. Hepner, Mr. and Mrs. Harold C. Casper, Mr. and Mrs. Fred Glaes, Mr. and Mrs. Stewart Biehl, Mr. and Mrs. C. Malcolm Smith and to Saint Michael's Union Church of Tilden Township by Senator Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Myers and to Captain Douglas E. Ryan by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Alec Makitka by Senator Dawida.

Congratulations of the Senate were extended to Brett Englesberg and to Kevin J. Knox by Senator Fisher.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Edwards and to Mr. and Mrs. Franklin W. Powers by Senator Greenleaf.

Congratulations of the Senate were extended to Jordan L. Ryalls by Senator Greenwood.

Congratulations of the Senate were extended to Mr. and Mrs. James Thrash, Mr. and Mrs. Guy Krum, Mr. and Mrs. Robert Woodruff, Mr. and Mrs. Francis Downs, Mr. and Mrs. John Rinehart, Mr. and Mrs. Eugene Kline, Mr. and Mrs. Joseph D. Daku, Mr. and Mrs. John Unbewust, Reverend and Mrs. Raymond Hershey, Mr. and Mrs. Foster Furman, Mr. and Mrs. Kenneth Woodhead and to the Friendship Fire Company of Danville by Senator Helfrick.

Congratulations of the Senate were extended to 1991 Black Family Reunion Celebration by Senator Jones.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas J. Hazenstab, Mr. and Mrs. C. Melvin Sponsler, Mr. and Mrs. Edgar M. Bragonier and to Minnie B. Cunningham by Senator Jubelirer.

Congratulations of the Senate were extended to White Mills United Methodist Church by Senator Lemmond.

Congratulations of the Senate were extended to Richard Dale Rosner, Jr. by Senator Lincoln.

Congratulations of the Senate were extended to Paul Edward Serkosky and to Reverend Monsignor Kenneth T. Horan by Senator Mellow.

Congratulations of the Senate were extended to Francis P. Zelenak by Senator Musto.

Congratulations of the Senate were extended to Washington Township Recreation Commission by Senator Porterfield.

Congratulations of the Senate were extended to Stewart Sims by Senator Robbins.

Congratulations of the Senate were extended to Paul P. Norkas and to Advanta Corporation of Horsham by Senator Salvatore.

Congratulations of the Senate were extended to Carrie Coleman Koppenhaver, Mr. and Mrs. Paul E. Gutshall, Mr. and Mrs. Harvey Etter, Mr. and Mrs. George Hirschmann and to David M. Sherrick, Jr. by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. W. Ernest Goss, Mr. and Mrs. Wallace Leverne Fleming and to Mr. and Mrs. Clarence O. Orf by Senator Stapleton.

Congratulations of the Senate were extended to Paul M. Bonfanti and to Tom Fry by Senator Stewart.

POINT OF INFORMATION

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

The PRESIDENT pro tempore. The gentleman from Fayette, Senator Lincoln, will state it.

Senator LINCOLN. Mr. President, on the Calendar, are we to the point of Petitions and Remonstrances?

The PRESIDENT pro tempore. We are ready for adjournment, Senator. We have passed that, but if you wish to do

that, we have not adjourned yet, and if you wish to return to that order of business, I am sure we can accommodate you.

PETITIONS AND REMONSTRANCES

Senator LINCOLN. Mr. President, during the last 24 hours there has been a change in the manner in which we have been operating, trying to negotiate the budget. I think that is very apparent. We have already expressed ourselves, the leadership on this side, on why we have taken the position we have. Today in Petitions and Remonstrances I would like to get a little bit further along in the process of at least answering some questions in my own mind.

Every day at noon throughout this building there are demonstrations by state employees. Unfortunately, that is the only pressure that seems to be building. I do not see that happening in Pittsburgh or Philadelphia or Uniontown or Williamsport, or wherever. I understand that there are Senators who represent a few state employees and there are Senators who represent a couple more and then there are some like Senator Hopper and Senator Shumaker who represent the bulk of the state employees because of where their districts are located and because of where the state employment is generally located, and I am wondering how Senator Hopper and Senator Shumaker are answering the pleas and the outrage expressed by those demonstrators here in this Capitol building. I know I have answered them by saying to them I am ready to vote at any time in this Chamber for a budget that will substantially fund state government and that I am willing to vote for the taxes necessary to fund that particular budget. We have been thwarted both procedurally and scheduling-wise on the Chamber floor by the Majority Party here in the Senate, and we have, unfortunately, been thwarted by the Majority Party and their counterpart, the Minority Party in the House. I just cannot imagine two people who I have learned to respect a great deal over the years that I have dealt with them, John Hopper and John Shumaker, the intense pressures and the personal feelings they have to be having for individuals who are not going to get paid for the services performed, particularly when their area has been one of the few areas in Pennsylvania that has never had the kind of high unemployment that those of us from southwestern Pennsylvania and from northeastern Pennsylvania and other parts of the state have had to suffer. I would hope that the obstinate positions that have been taken by the Minority Leader in the House and the Republican leadership here in the Senate on refusing to put something on this Calendar where we can offer amendments for a tax package, where we can offer true amendments to have a budget that is funded at the level that we cannot seem to come in agreement to whenever we are meeting in private meetings, if the private part of this procedure is not working, then I would hope at some point in time the two very fine gentlemen who represent a great portion of central Pennsylvania where a tremendous amount of state employees live, that they would start urging their leadership to approach this subject in a little different manner. It is now the

17th of July. We ought to be ashamed of ourselves, collectively. All of us at some point in time ought to have to answer to our constituencies for our irresponsible actions, in fact our lack of responsible actions. I am not saying this in any manner to hurt in any way politically the two gentlemen I have spoken of because I have never had any intentions of being involved in their campaigns, but I think all of us, both Republicans and Democrats, next year are going to face Primary Elections and General Elections. The Republican Party in this state is going to field candidates in the Primary Election, and in districts where you cannot lose a General Election you better start thinking about the primaries because the anti-incumbency is already there to the greatest extent in my lifetime, and we are not doing anything but fueling that particular feeling by how we are acting in this budget process. I would like to see at some point in time a more responsible position taken by rank-and-file Members in both caucuses, and I believe the place where that is going to have to start in the Republican Majority is going to be the two Senators who represent a great, great portion of the state employee population in this state.

Senator HOPPER. Mr. President, since my name was mentioned I guess I better say something. I went out in the hall when those people were going through the halls like a herd of cattle, and I mentioned that we had passed a stopgap because I felt they were complaining about not getting their paychecks. I was told that the other side of the House, the House of Representatives, and the Governor's Office under no circumstances would want a stopgap and the stopgap was for 30 days to see that those people got a paycheck to pay their car payments or buy groceries, or whatever, until a budget could be considered. I talked to some of the people, and I did go out in the hall downstairs because my office is on the first floor, and they were stampeding by there like a herd of cattle. I mentioned it to them and some of their leaders came over and said, yeah, but we want a budget. I said, well, that is being worked on, but the Constitution says that all tax bills—and Senator Fisher mentioned that it is Article III, Section 10—originate in the House of Representatives, and all we were trying to do was to get them a 30-day stopgap so they could get paid. So we did try.

Senator LOEPER. Mr. President, it had not been my intent initially to respond to the gentleman's remarks. However, I think, in light of the fact that there were Members named as far as their involvement in this process, it might be well to place on the record exactly what some of that involvement has been of the rank and file. Maybe the gentleman is not aware that both Senator Hopper and Senator Shumaker have been meeting on a regular basis with the state employees who are in this Capitol, that both men are extremely sensitive to the needs and the concerns and the hardships that are being experienced by those state workers who may have to suffer needlessly because their regular paychecks are not coming in a timely fashion. I might specifically note, Mr. President, that Senator Shumaker, in particular, did correspond with the Governor, Governor Casey, just yesterday and indicated to him that this Friday was a scheduled payday, once again, for

tens of thousands of state employees and that the payment this week is due for the period of the last week of June and the first week of July. Based on the administrative order of Judge Craig, it was Senator Shumaker who requested of the Governor, and my understanding is today the Governor and Budget Secretary agreed that those workers will receive a check for one week, that last week of June, that will be paid in a timely fashion, if not exactly on Friday, as soon as the checks are processed the beginning of next week. So I think for the gentleman to say that they are not concerned about the process, not aware of the process is truly without any type of merit. I think, if anything, Senator Hopper and Senator Shumaker are to be commended for their lead and their sensitivity in trying to meet the needs of state employees during this time of budget crisis. I would also like to indicate, Mr. President, that I think when we talk about the process, at least the Majority on this side of the aisle has continuously tried to negotiate in good faith with or without our counterparts on the other side of the aisle. Just last evening, even though, unfortunately, the Minority Party was not able to be represented, we met with the Budget Secretary of this Commonwealth. We spent about three hours going over various components of a spending plan to try and gain input and resolve outstanding issues and also to get an assessment from the Budget Secretary as to what his views may be on some of those outstanding issues so that we could work collectively together as four caucuses in consonance with the Budget Secretary and the Governor to try and resolve some of those outstanding issues. In addition to that, late last evening I met with the Majority Leader and also the Majority Chairman of the Committee on Appropriations of the House up past midnight last night and this morning continued those meetings to try and resolve the budget crisis that is before us. In fact, at noontime today I had an opportunity to meet with the Governor himself to discuss the progress or lack of progress that was being made in the process, and it is my hope, Mr. President, that all parties involved in negotiations, all Members of this General Assembly, will work together in order that we can come to a satisfactory conclusion and put a budget into place that is going to address all needs of the citizens of this Commonwealth.

Senator LINCOLN. My, how that man has learned to talk. My, has he improved since I first met him and he became the Majority Leader. Incredibly well done, Joe. I think I have to say that my respect for you is growing in leaps and bounds, and I want to tell you how well you have presented your position, but I want to have an opportunity to maybe just go boop, boop, boop and shoot a little hole in it every once in a while. Incredible how we talk about good faith and we have been negotiating for so many weeks that it is hard for me to keep track, and we have not concluded one item where there is 100 percent agreement, not one. We get to 95 percent and then the Majority Party says, let us go to another issue. There has been a deliberate effort to keep anything from being concluded completely, because then we are taking a step towards conclusion of the process and then we have to come to the conclusion that we are going to vote for taxes, and that is the

issue that seems to be the bottom line in this discussion, not what we are going to spend. I have found the Republican Party to be very, very cooperative in putting together a spending plan. It is when we start talking about taxes that they become a little less cooperative. I think it is interesting you are talking about your meeting with the Majority Party in the House and your meeting with the Governor, and I think it is safe for me to say, representing my leadership over here, you put something together and we will do what you have been doing for the last six months, we will tell you that we will give you two votes towards passing whatever you put together.

The second thing I would like to talk to Senator Hopper about is, yes, you did pass a stopgap, one that handled the medical assistance and debt service and cash grants. That was on Sunday, I think, the 30th of June. Then you did pass something else that was a 30-day, but it did not work. It did not work. Do you not understand that herd of cattle that goes by you in your hall is doing that because it did not work? We do not have a solution. We do not have a budget. We do not even have a stopgap because what was passed here was not workable. The House passed a budget. They sent a budget, a spending plan, to us with 102 Democrat votes that has been in this Committee on Appropriations since it passed and came to us. Wherever it is at, it is here. There is a budget here. All we have to do is bring it out of that Committee on Appropriations and pass it, and I want to tell you—we will go beyond that a little bit—in the Constitution that Senator Fisher read to us, he conveniently left out a sentence of the Constitution when he put it on the record that day, and Senator Hopper has conveniently quoted Senator Fisher, but there is another part of that Section 10 in the Constitution entitled “Revenue Bills” and it says, “All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other bills.” That is not a scapegoat for you guys and it is not an excuse for not doing it. If I represented a district that had as many state employees and my area benefited as much as this area does from having the Capitol in it, I would probably be walking with that herd of cattle when they went by my office and raising hell about my leadership not putting something on the agenda that I could vote for the taxes in the budget necessary to put that in place so that I would not have to have those people walking through my halls and disturbing my day. I want to say to you now that we are prepared, as we have been in the past, to put up our portion of the hard votes to make this work. Whatever that number may be, we are going to come to that conclusion at some point in time, and from what I hear and what I see and how we are doing it, it is going to be August 17th before we get the damn thing done. All I am saying to you today is that we are going to start pointing out where people should be showing their responsibility because of where they represent, and the very first place I believe we ought to be looking at is the two Republican Senators who represent the bulk of the state employees who work in this Capitol and provide a great deal of taxes for this area and a great deal of the prosperity, and I think it is incumbent upon them to lead the way if their leadership cannot do it.

(The following prepared statement was made a part of the record at the request of the lady from Philadelphia, Senator JONES:)

On June 26, 1990, I introduced Senate Bill No. 1706 to establish a statewide program to continue health insurance coverage for persons with AIDS by having the state pay the cost of the premiums. My office worked with the Departments of Health, Public Welfare and Insurance to review my proposal and to determine the estimated savings. The work group determined that for every dollar we spent for insurance premiums, we would save between \$7.00 and \$8.00 that the medical assistance program otherwise would have spent. After a thorough review of the proposal, an application was submitted to the U.S. Department of Health and Human Services for funding for the health insurance buy-in program under the Ryan White Comprehensive AIDS Resources Emergency Act on March 1, 1991.

I am very pleased to announce that the federal government has approved the proposal as a pilot program in the Philadelphia and Pittsburgh areas. Funding is available until March 31, 1993. By January 1, 1992, the first group of eligible individuals will be recruited, approved and have their insurance premiums paid by the pilot program. During the first year, we will evaluate the operations and the results and I expect that when the value of this program can be shown, it will be implemented on a statewide basis. Early estimates are that we can save over a million dollars a year by my proposal.

It is especially gratifying to me that a program that can assist people to continue their chosen course of health care can also save money that can be used by others in need of governmental help. I also want to thank the Departments of Health, Public Welfare and Insurance for helping to make my proposal a reality.

RECESS

Senator LOEPER. Mr. President, I would move that the Senate do now recess to the call of the President pro tempore.

The PRESIDENT pro tempore. It is moved by Senator Loeper that the Senate do now recess to the call of the President pro tempore. The Senate is recessed to the call of the President pro tempore.

AFTER RECESS

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

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet immi- nently in the Rules room to consider certain Executive Nomi- nations.

DISCHARGE PETITIONS

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

In the Senate, July 17, 1991.

A PETITION

To place before the Senate the nomination of Charles Lieberth as a member of the State Civil Service Commission.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Charles Lieberth, Pittsburgh, Pennsylvania, as a member of the State Civil Service Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Frank A. Salvatore
F. Joseph Loeper
Robert C. Jubelirer
D. Michael Fisher
Noah W. Wenger

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

In the Senate, July 17, 1991.

A PETITION

To place before the Senate the nomination of the Honorable Arthur A. Davis as Secretary of Environmental Resources.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of the Honorable Arthur A. Davis, Camp Hill, Pennsylvania, as Secretary of Environmental Resources, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Frank A. Salvatore
F. Joseph Loeper
Robert C. Jubelirer
D. Michael Fisher
Noah W. Wenger

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

In the Senate, July 17, 1991.

A PETITION

To place before the Senate the nomination of the Honorable Constance B. Foster as Insurance Commissioner.

TO: The Presiding Officer of the Senate

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of the Honorable Constance B. Foster, Hershey, Pennsylvania, as Insurance Commissioner, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Frank A. Salvatore
F. Joseph Loeper
Robert C. Jubelirer
D. Michael Fisher
Noah W. Wenger

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

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 convene immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. Senator Loeper has asked for a brief recess of this Session for the purpose of a meeting of the Committee on Rules and Executive Nominations. Would all the Members of the Committee on Rules and Executive Nominations please meet in the Rules room at the rear of the Senate Chamber. For the purpose of conducting that meeting, the Senate will stand in brief recess.

AFTER RECESS

The PRESIDENT. 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:

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

June 7, 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 I. Enck, Jr., V.M.D., 120 Garfield Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, 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.

ROBERT P. CASEY.

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

June 7, 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 T. Gabel, R. D. 4, Box 235, Gable Road, Newport 17074, Perry County, Thirty-third Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, 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.

ROBERT P. CASEY.

MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION

June 7, 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 E. McIlwain, Star Route, Box 91, Spring Church 15686, Armstrong County, Forty-first Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, 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 Chris D. Kimmel, Shelocta, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION

June 7, 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, Sherbyn W. Ostrich, V.M.D., Eagle's Peak Farm, R. D. 2, Box 208, Robesonia 19551, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, 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.

ROBERT P. CASEY.

MEMBER OF THE STATE CIVIL
SERVICE COMMISSION

May 13, 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, Charles Lieberth, 106 Pointvue Drive, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Civil Service Commission, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Therese Lemelle Mitchell, Harrisburg, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 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, Sister M. Lawreace Antoun, Ph.D., Villa Maria College, Erie 16505, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Board of Education to serve until October 1, 1996 or until her successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 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, Edward R. Donley, 326 North 27th Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the State Board of Education to serve until October 1, 1995 or until his successor is appointed and qualified, vice Henry C. Messinger, Allentown, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 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, William R. Smith, 1079 Meadowlark Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for reappointment as a member of the State Board of Education to serve until October 1, 1996 or until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 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, S. Keith Spalding, P. O. Box 206, Hopeland 17533, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the State Board of Education to serve until October 1, 1994 or until his successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF EDUCATION

June 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, Lydia Hernandez Velez, Esquire, 2010 Parrish Street, Philadelphia 19130, Philadelphia County, Second Senatorial District, for appointment as a member of the State Board of Education to serve until October 1, 1994 or until her successor is appointed and qualified, vice Elizabeth J. Harper, Monroeville, whose term expired.

ROBERT P. CASEY.

INSURANCE COMMISSIONER

May 9, 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 Constance B. Foster, 1079 Beech Avenue, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for reappointment as Insurance Commissioner, 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 BOARD OF TRUSTEES
OF LAURELTON CENTER

June 12, 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, Alice Atwater, F98, 500 East Marylyn Avenue, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF MEDICINE

June 12, 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, Victor F. Greco, M.D., E-Z Acres, R. R. 1, Drums 18222, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the State Board of Medicine, 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 Gary W. Lyons, M.D., Erie, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF MEDICINE

June 12, 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, Alvin A. Kinsel, M.D., 222 Margery Drive, Pittsburgh 15238, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Medicine, 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 Jason S. Shu, M.D., Montoursville, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF MEDICINE

June 12, 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, Joshua A. Perper, M.D., 106 Crofton Drive, Pittsburgh 15238, Allegheny County, Forty-fourth Senatorial District, for reappointment as a member of the State Board of Medicine, 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 STATE BOARD
OF OPTOMETRY

June 24, 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, Francis R. Grady, 815 Mandy Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment 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.

ROBERT P. CASEY.

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

June 13, 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, Douglas P. Harbach, 52 Wagner Road, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg 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 Paul E. Bogar, Shippensburg, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

June 7, 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 L. Sheperd, V.M.D., R. D. 1, Box 394A, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, 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 Susan McDonough, V.M.D., Philadelphia, whose term expired.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES
OF WESTERN CENTER

June 7, 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, Madge Finney, 105 Gibson Road, Bentleyville 15314, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Western Center, to serve until the third Tuesday of January, 1997, and until her successor is appointed and qualified, vice Alice Goldberg, Monongahela, resigned.

ROBERT P. CASEY.

DISTRICT JUSTICE

May 31, 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, Mark J. Bilik, R. D. 3, Box 7, New Alexandria 15670, Westmoreland County, Thirty-ninth Senatorial District, for appointment as District Justice in and for the County of Westmoreland, Magisterial District 10-3-08, to serve until the first Monday of January, 1992, vice Michael Giannini, mandatory retirement.

ROBERT P. CASEY.

DISTRICT JUSTICE

June 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, Angelo Caruso, 224 Irving Avenue, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for appointment as District Justice in and for the County of Westmoreland, Magisterial District 10-02-08, to serve until the first Monday of January, 1992, vice Anthony Angelo, 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 PRESIDENT. 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:

SECRETARY OF COMMERCE

July 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 May 17, 1991 for the appointment of Andrew T. Greenberg, 931 North Front Street, Apartment 507, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Secretary of Commerce, to serve until the third Tuesday of January,

1995 and until his successor shall have been appointed and qualified, vice The Honorable Raymond R. Christman, Pittsburgh, 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 LAURELTON CENTER

July 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 July 15, 1991 for the appointment of John Hohenwarter 11 Meadowbrook Lane, Elizabethtown 17022, Lancaster County, Thirteenth Senatorial District, as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1995 and until his successor is appointed and qualified, vice Evelyn C. Marboe, State College, confirmed to another position.

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 PRESIDENT. The nominations will be returned to the Governor.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Bell and Senator Lynch. Their legislative leaves will be cancelled.

ADJOURNMENT

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Monday, July 22, 1991, at 2:25 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.