

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MAY 10, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 27

### SENATE

MONDAY, May 10, 1993

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

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

### PRAYER

The Chaplain, Reverend JONATHAN M. WATT, of College Hill Reformed Presbyterian Church in Beaver Falls, offered the following prayer:

Let us pray together.

Father in Heaven, as we convene this Senate Session of the Commonwealth of Pennsylvania, we appeal to You in the same way that Solomon did many years ago when he said, if a people will humble themselves and pray and seek your face and turn from their sins, then you will hear from heaven, forgive their sin, and heal their land. To the degree that these words represent the posture of this Senate, please attend to our petitions.

We ask for guidance into Your truth and into the very heart and mind of God so that the laws and policies handled by this Assembly may provide justice for the residents of Pennsylvania, whether they are young, old, or yet to be born.

We ask for Your hand to be upon the use of our State's human and material resources, and that You would give us wisdom to be good stewards of all that You entrust to men and women.

We ask for Your patience and for Your mercy in our shortcomings and failures, and for grace toward their repair.

Father in Heaven, for more than three centuries You have given so much to so many through the civil oversight of our predecessors, and especially through Him who gave his name to our State and who conceived of it as a haven for the persecuted, and we desire today that our legacy, like his, might be a blessing to many.

In Christ's name we ask it. Amen.

The PRESIDENT. The Chair thanks Reverend Watt, who is the guest this day of Senator LaValle.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 5, 1993.

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

### COMMUNICATION FROM THE GOVERNOR

#### 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:

#### DISTRICT JUSTICE

May 5, 1993

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 Calla, 794 West Creek Road, St. Marys 15857, Elk County, Twenty-fifth Senatorial District, for appointment as District Justice, in and for the County of Elk, Magisterial District 59-3-03, to serve until the first Monday of January 1994, vice Elizabeth J. Friedl, resigned.

ROBERT P. CASEY  
Governor

### HOUSE MESSAGES

#### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 421**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XV, Section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

#### 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:

May 6, 1993

**HB 243** -- Committee on Local Government.

**HB 816** -- Committee on State Government.

**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:

May 5, 1993

Senators SALVATORE, SCANLON, CORMAN, PORTERFIELD, STAPLETON, ROBBINS and MUSTO presented to the Chair **SB 1069**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for visitation rights and partial custody; and making repeals.

Which was committed to the Committee on JUDICIARY, May 5, 1993.

Senator SALVATORE presented to the Chair **SB 1070**, entitled:

An Act providing for warning labels on condom packaging.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 5, 1993.

Senators GREENLEAF, HELFRICK, FISHER, LOEPER and SCHWARTZ presented to the Chair **SB 1071**, entitled:

An Act providing for advance notification of pesticide application within schools, school grounds, athletic fields and playgrounds.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, May 5, 1993.

Senator BODACK presented to the Chair **SB 1072**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the allocation of certain fines; and making editorial changes.

Which was committed to the Committee on JUDICIARY, May 5, 1993.

Senators PORTERFIELD, LAVALLE, AFFLERBACH and LINCOLN presented to the Chair **SB 1073**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," eliminating the power of school districts to tax real estate; establishing the Real Estate Tax Liability Reduction Fund; and making a repeal.

Which was committed to the Committee on FINANCE, May 5, 1993.

Senators PORTERFIELD, LAVALLE, AFFLERBACH and LINCOLN presented to the Chair **SB 1074**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for the imposition of personal income tax; providing for a gross receipts tax; imposing duties on the Department of Revenue and the Legislative Reference Bureau; and making repeals.

Which was committed to the Committee on FINANCE, May 5, 1993.

May 6, 1993

Senators FISHER, CORMAN, HART, SALVATORE and SHAFFER presented to the Chair **SB 1075**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the maximum speed limit on certain interstate highways; and providing for the use of speed timing devices.

Which was committed to the Committee on TRANSPORTATION, May 6, 1993.

Senators SCHWARTZ, REIBMAN, FATTAH, JONES, AFFLERBACH, LAVALLE, LEWIS, DAWIDA, STEWART, STOUT, MUSTO, SCANLON, LINCOLN, GREENLEAF, BRIGHTBILL and MELLOW presented to the Chair **SB 1076**, entitled:

An Act amending the act of October 27, 1955 (P. L. 744, No. 222), entitled, as amended, "Pennsylvania Human Relations Act," defining "sexual harassment"; providing for notices relating to sexual harassment and for evidentiary requirements; and further providing for unlawful discriminatory practices, for powers and duties of the Pennsylvania Human Relations Commission and for procedures.

Which was committed to the Committee on STATE GOVERNMENT, May 6, 1993.

May 7, 1993

Senators SHAFFER, JUBELIRER and STAPLETON presented to the Chair **SB 1077**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the filing of petitions or applications to enter into power sales agreements and for public notification and public hearings; and further providing for consider of a public utility's petition or application by the Pennsylvania Public Utility Commission.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 7, 1993.

Senators SHAFFER, JUBELIRER, HELFRICK and STAPLETON presented to the Chair **SB 1078**, entitled:

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), entitled "Agricultural Area Security Law," further providing for limitations on actions by government units, public utilities and other bodies.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 7, 1993.

Senators JONES, WILLIAMS and SCHWARTZ presented to the Chair **SB 1079**, entitled:

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," providing for notices to be posted in certain State-licensed facilities.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 7, 1993.

Senators O'PAKE, STOUT, WILLIAMS, MUSTO, AFFLERBACH, REIBMAN, STAPLETON and SCHWARTZ presented to the Chair **SB 1080**, entitled:

An Act requiring home health care reimbursement options for purchasers of insurance.

Which was committed to the Committee on AGING AND YOUTH, May 7, 1993.

May 10, 1993

Senators JONES, SCHWARTZ, AFFLERBACH, DAWIDA, FATTAH, LAVALLE, O'PAKE, RHOADES and WILLIAMS presented to the Chair **SB 1081**, entitled:

An Act providing for the establishment of a joint task force between the Department of Health and the Department of Public Welfare to develop and implement on a pilot basis a health insurance continuation program for insured people with acquired immunodeficiency syndrome (AIDS) and human immunodeficiency virus (HIV); and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 10, 1993.

Senators GREENLEAF, MOWERY, RHOADES, SALVATORE and WENGER presented to the Chair **SB 1082**, entitled:

An Act amending the act of December 19, 1990 (P. L. 1200, No. 202), entitled "Solicitation of Funds for Charitable Purposes Act," further providing for exemptions from registration of charitable organizations.

Which was committed to the Committee on STATE GOVERNMENT, May 10, 1993.

Senators GREENLEAF, HELFRICK, LAVALLE, SALVATORE and WILLIAMS presented to the Chair **SB 1083**, entitled:

An Act providing for the prevention, detection treatment and follow-up of cases of hepatitis B among State and local law enforcement officers, firefighters, paramedics, emergency medical technicians, ambulance attendants, first responders and health professionals; and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 10, 1993.

Senators GREENLEAF, BELL, FISHER, HELFRICK, LAVALLE, LOEPER, MOWERY, RHOADES, SALVATORE and WENGER presented to the Chair **SB 1084**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for termination of annuities.

Which was committed to the Committee on EDUCATION, May 10, 1993.

Senators GREENLEAF, BELL, HART, PECORA, PORTERFIELD, REIBMAN, RHOADES, SHUMAKER, STAPLETON, STOUT and WILLIAMS presented to the Chair **SB 1085**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for programs

by the Department of Health for persons suffering from Alzheimer's disease.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 10, 1993.

Senator GREENLEAF presented to the Chair **SB 1086**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the information that must appear on identification tags which are attached to traps.

Which was committed to the Committee on GAME AND FISHERIES, May 10, 1993.

Senator GREENLEAF presented to the Chair **SB 1087**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for access to records of adopted persons.

Which was committed to the Committee on JUDICIARY, May 10, 1993.

Senators GREENLEAF, LOEPER and SCHWARTZ presented to the Chair **SB 1088**, entitled:

An Act amending the act of March 1, 1974 (P. L. 90, No. 24), entitled "Pennsylvania Pesticide Control Act of 1973," further providing for the regulation and certification of persons using or applying pesticides; requiring certain notice and posting when pesticides are used; providing that certain information shall be available to the public; and making a repeal.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, May 10, 1993.

### BILLS SIGNED

The PRESIDENT (Lieutenant Governor Mark S. Singel) in the presence of the Senate signed the following bills:

**HB 100** and **HB 318**.

### APPOINTMENT BY PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointment:

Mr. George R. Gregg as a member of the State Agricultural Land Preservation Board.

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bills No. 298 and 421.

### REPORTS FROM COMMITTEES

Senator WILLIAMS, from the Committee on Public Health and Welfare, reported the following bill:

**SB 569 (Pr. No. 1217) (Amended) (Rereported)**

An Act establishing the Child Death Review Panel; requiring death investigations in the case of unexpected deaths of children 15 years of age and younger; imposing a penalty; and making an appropriation.

Senator FUMO, from the Committee on Appropriations, reported the following bills:

**SB 690 (Pr. No. 1226) (Amended) (Rereported)**

An Act providing for adoption of capital projects to be financed from current revenues of the Manufacturing Fund.

**SB 801 (Pr. No. 864) (Rereported)**

An Act providing for the integration of educational resources of schools, colleges and businesses in this Commonwealth.

**SB 862 (Pr. No. 1148) (Rereported)**

An Act providing for cultural facilities; establishing the Cultural Facilities Advisory Board and providing for its powers and duties; providing for a grant program; and providing for additional duties of the Department of Community Affairs.

**SB 893 (Pr. No. 977) (Rereported)**

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," providing for cigarette sales and licensing; and making repeals.

**SB 952 (Pr. No. 1043)**

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled, as reenacted, "Liquor Code," eliminating the transfer of funds to the Enforcement Officers' Retirement Account; providing for the transfer of funds remaining in the account; and providing for the transfer of excess funds transferred to the Enforcement Officers' Benefit Account in the State Employees' Retirement Fund.

**HB 606 (Pr. No. 654) (Rereported)**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of the Attorney General.

**HB 607 (Pr. No. 655) (Rereported)**

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

**HB 608 (Pr. No. 656) (Rereported)**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

**LEAVE OF ABSENCE**

Senator LOEPER asked and obtained leave of absence for Senator HELFRICK, for today's Session, for personal reasons.

**SENATE CONCURRENT RESOLUTION**

**RECESS ADJOURNMENT**

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

In the Senate, May 10, 1993

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 24, 1993, 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 24, 1993, unless sooner recalled by the Speaker of the House of Representatives.

Senator BODACK 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 BODACK. 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 BODACK and were as follows, viz:

YEAS—48

Afflerbach	Fisher	Lynch	Robbins
Andrezeski	Fumo	Madigan	Salvatore
Armstrong	Greenleaf	Mellow	Scanlon
Baker	Hart	Mowery	Schwartz
Belan	Holl	Musto	Shaffer
Bell	Jones	O'Pake	Shumaker
Bodack	Jubelirer	Pecora	Stapleton
Bortner	LaValle	Peterson	Stewart
Brightbill	Lemmond	Porterfield	Stout
Corman	Lewis	Punt	Tilghman
Dawida	Lincoln	Reibman	Wenger
Fattah	Loeper	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  
GUESTS OF SENATOR JAMES J. RHOADES  
PRESENTED TO SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, I have the pleasure today to introduce a guest, Jennifer Brown, who is 13 years old. She is an eighth grade student at Pleasant Valley Middle

School, and she is the daughter of Jay and Judy Brown. Jay is a typing teacher at Pleasant Valley, and Jennifer's mom is an eighth grade teacher at Pleasant Valley. They are in the gallery.

Jennifer is serving as a Page for the day. Her activities in school include: editor for the school newspaper, a member of the high school marching band, president of the 4-H Photography Club, and, most importantly, a member of the National Junior Honor Society.

It is a pleasure to have her with us today to be able to see State government in action, more specifically the Senate, and I would appreciate it if the Senate would give its usual warm welcome to Jennifer and her parents.

The PRESIDENT. Would the guests of Senator Rhoades please rise so that we could welcome you to the Senate of Pennsylvania.

(Applause.)

Senator RHOADES. Mr. President, I would just note that Jennifer is up front. Jennifer, would you stand up so everyone can see you, and we will make sure that you get enough work today, too.

The PRESIDENT. Jennifer, would you please rise so that we can thank you for your help in the Senate today.

(Applause.)

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

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Fisher.

Senator FISHER. Mr. President, I have the pleasure to introduce a woman from my senatorial district who has been active in a lot of various activities over the years. I am very pleased to say that she is visiting here today with her husband, Jack, and our visitor is Mrs. Cindy Judd Hill, who was recently crowned Ms. Senior Pennsylvania 1993 and will be a contestant representing the Commonwealth in the national competition in Nashville, Tennessee, on May 15 through 19.

I would ask the Senate to give its usual warm welcome to Ms. Senior Pennsylvania 1993, Cindy Judd Hill, of Thornburg, in my senatorial district.

The PRESIDENT. Cindy, we are delighted to welcome you to the Senate of Pennsylvania.

(Applause.)

#### **GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, I have the honor today of presenting the Meadville High School hockey team, the Bulldogs from Meadville, who have captured the Pennsylvania High School Hockey Class AAA championship. They have done it 2 years in a row. They have won the championship three times in AAA and once in AA. They are the only school in Pennsylvania that has won four State titles.

We are very pleased to have the team, their coaches, their assistant coaches, and supporters with us today. On the floor, I am very pleased to have Head Coach Jamie Plunkett. Jamie has 207 wins to his credit, and with him is the team captain, Tom Westfall. They are accompanied by Coach Plunkett's daughter, Jonie Plunkett, and also Dick Holabaugh, who is going to be one of the future stars.

I thank you for allowing me to introduce them on the floor.

The PRESIDENT. Would the Members of the Senate please join me in welcoming our guests and the guests of Senator Robbins.

(Applause.)

Mr. PLUNKETT. Lieutenant Governor Singel, Senators, and honored guests, it is a privilege and an honor to be here today representing the Meadville Bulldog hockey club. I would especially like to thank Theresa Brown and Senator Robbins for all their efforts in putting this trip together, and the fine people of Meadville who generously donated money for our club to come to Harrisburg.

I know our players have really enjoyed the day. The only person who I wish could have been here with us today is the sports editor of the Meadville Tribune. He is one of our biggest supporters, and I think he really would have enjoyed this, all the recognition that our players have received.

Thank you.

(Applause.)

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

Senator O'PAKE. Mr. President, also on the floor as special guests of the Senate today are some Berks Countians who beat the British. They are members of the World Marbles Tournament Championship who recently came out on top over 18 British teams at the British and World Championship Tournament played in a circle of wet sand in Tinsley-Green, England. Debra Stanley-Lapic and her niece, Darlene Schwartz, were part of the six-person Marble Kings championship team, winning the fifth and deciding game over the British by a score of 25 to 20. This was the second consecutive United States victory in that tournament.

Debra Stanley-Lapic has coached 12 national champions and won the national championship herself in 1973 in Wildwood, New Jersey. Her niece, Darlene Schwartz, has set four national records. They are accompanied by Debra's husband, Steven Lapic, and although I do not think they want to speak, I would appreciate it if the Chair would recognize them. We are honored to have them here on the floor of the Senate.

The PRESIDENT. While the Senate shares in that honor, we welcome you. Would you please rise so that we can welcome you to the floor of the Senate of Pennsylvania.

(Applause.)

## SENATE RESOLUTIONS

DESIGNATING MAY 14, 1993, AS  
"ISRAEL INDEPENDENCE DAY"  
IN PENNSYLVANIA

Senators SALVATORE, O'PAKE, TILGHMAN, DAWIDA, HELFRICK, BELL, FISHER, SCHWARTZ, AFFLERBACH, MADIGAN, BODACK, JUBELIRER, GREENLEAF, WENGER, REIBMAN, MUSTO, HART, BAKER and RHOADES offered the following resolution (**Senate Resolution No. 58**), which was read as follows:

In the Senate, May 10, 1993

## A RESOLUTION

Designating May 14, 1993, as "Israel Independence Day" in Pennsylvania.

WHEREAS, After World War II, thousands of Jewish refugees who survived Hitler's genocide of 6,000,000 Jews immigrated to British-held Palestine, their ancestral home where thousands of other Jews lived for more than 2,000 years; and

WHEREAS, The British withdrew from Palestine on May 13, 1948; and

WHEREAS, The State of Israel was established on May 14, 1948, as a Western-style democracy; and

WHEREAS, The State of Israel began its existence by extending its hand of peace to all neighboring states, calling for good neighborliness, cooperation and mutual helpfulness with the independent Jewish nation; and

WHEREAS, The State of Israel is prepared to contribute its share in a common effort for the advancement of peace in the Middle East; and

WHEREAS, The continued existence of Israel has been challenged since its establishment by its Arab neighbors despite Israel's willingness to find a peaceful solution to regional problems, and the 1977 peace treaty with Egypt is an example of such willingness; and

WHEREAS, Israel's military strength, cultural vitality and political, economic and social ties to the United States are a continuing source of pride and inspiration to the 360,000 Jews of Pennsylvania; and

WHEREAS, There is a special kinship between the governments and peoples of Israel and the United States; therefore be it

RESOLVED, That the Senate hereby designate May 14, 1993, as "Israel Independence Day" in Pennsylvania.

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

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Salvatore.

Senator SALVATORE. Mr. President, it is indeed an honor for me to introduce this resolution.

This is the anniversary of a nation that was established 45 years ago, the nation of Israel, and we are happy to celebrate its independence day on May 14, 1993, and I ask for the unanimous adoption of this resolution.

And the question recurring,  
Will the Senate adopt the resolution?  
The resolution was adopted.

DESIGNATING THE WEEK OF MAY 23  
THROUGH 29, 1993, AS "EMERGENCY  
MEDICAL SERVICES (EMS) WEEK"

Senators PETERSON, ROBBINS, JUBELIRER, MADIGAN, CORMAN, FISHER, GREENLEAF, HART, HELFRICK, HOLL, BAKER, BELAN, AFFLERBACH, BELL, DAWIDA, LAVALLE, WILLIAMS, SHAFFER, TILGHMAN, RHOADES, SCHWARTZ, MUSTO, O'PAKE, PECORA, PORTERFIELD, REIBMAN, SALVATORE, STAPLETON, STEWART, STOUT and WENGER offered the following resolution (**Senate Resolution No. 59**), which was read as follows:

In the Senate, May 10, 1993

## A RESOLUTION

Designating the week of May 23 through 29, 1993, as "Emergency Medical Services (EMS) Week."

WHEREAS, The Emergency Medical Services (EMS) community is a team of dedicated professionals involved in the prehospital care of the sick or injured; and

WHEREAS, The members of this Commonwealth's EMS teams provide round-the-clock lifesaving care to those in need; and

WHEREAS, The EMS system starts with the response of a trained bystander at the scene of an emergency and continues with the patient's arrival at the hospital; and

WHEREAS, EMS providers work under stressful and often hazardous conditions as they provide prompt, quality medical care to the citizens and visitors of this Commonwealth; and

WHEREAS, This Commonwealth's EMS community consists of paid and volunteer providers serving in many capacities, including administrators, aeromedical personnel, ambulance attendants, ambulance drivers, dispatchers, educators, emergency medical technicians, first responders, health professionals, nurses, paramedics, physicians, physician assistants, rescue technicians and others, such as police officers and firefighters, who assist and support EMS activities; and

WHEREAS, The members of EMS teams engage in thousands of hours of specialized training and education to enhance their skills; and

WHEREAS, The citizens and visitors of this Commonwealth benefit from the knowledge and skills of these highly trained individuals; and

WHEREAS, In appreciation and recognition of the organized efforts of EMS providers and those who assist and support EMS, the Commonwealth should set aside a week to commemorate, appreciate and recognize EMS and support planned activities in this Commonwealth; and

WHEREAS, The designation of "Emergency Medical Services (EMS) Week" will also serve to educate the people of this Commonwealth about injury prevention and how to respond to a medical emergency by properly accessing the EMS system and becoming certified in cardiopulmonary resuscitation and other basic first aid skills; therefore be it

RESOLVED, That the Senate designate the week of May 23 through 29, 1993, as "Emergency Medical Services (EMS) Week."

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Peterson.

Senator PETERSON. Mr. President, I am pleased today, on behalf of the EMS people across our Commonwealth, to designate this week in honor of them.

You know, since we passed Act 45, we now have, I think, one of the finest EMS programs in the country. It does not matter where you are, if you have a medical emergency, you have people coming to pick you up and assist you who are well-trained, have good equipment, and give you the very best chance to continue a healthy life. We are not the major reason for that, it is the volunteers who just give so tirelessly of their time, and it is certainly fitting that we give a week to honor them because we never know, it may be you or I who need them before the day is over.

So I am just pleased to offer this resolution—and 30-some of you have cosponsored it—to give them the honor they are due, because this system which has been developed is a result of their tireless efforts in giving their time and talents.

And the question recurring,  
Will the Senate adopt the resolution?  
The resolution was adopted.

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I would ask for a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations to take place in the rear of the Chamber in the Rules room, to be followed immediately by a caucus of the Democrats.

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

Senator JUBELIRER. Mr. President, we would ask all Members of the Republican Caucus to report to the second floor caucus room to the rear of the Senate Chamber upon the recess of the meeting of the Committee on Rules and Executive Nominations.

Thank you, Mr. President.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, followed by Republican and Democratic caucuses, the Senate will stand in recess.

### AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Appropriations to meet during today's Session to consider Senate Bill No. 515 and House Bill No. 958, and also the Committee on Education to consider Senate Bill No. 880 and House Bill No. 438.

### LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I would ask for a legislative leave for Senator Afflerbach, who is attending a school district meeting in his district, and a temporary Capitol leave for Senator Williams.

The PRESIDENT. Senator Bodack requests a legislative leave for Senator Afflerbach, and a temporary Capitol leave for Senator Williams. The Chair hears no objection. Those leaves will be granted.

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

**SB 6** — Without objection, the bill was passed over in its order at the request of Senator BODACK.

##### BILL OVER IN ORDER TEMPORARILY

**HB 65** — Without objection, the bill was passed over in its order temporarily at the request of Senator BODACK.

##### BILLS OVER IN ORDER

**HB 110, 111 and SB 263** — Without objection, the bills were passed over in their order at the request of Senator BODACK.

##### BILL REREFERRED

**SB 293 (Pr. No. 1053)** — 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," providing for certain tax refunds.

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

Senator BODACK. Mr. President, I move that Senate Bill No. 293 be rereferred to the Committee on Education.

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

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

Senator JUBELIRER. Mr. President, we would object to Senate Bill No. 293 being rereferred to the Committee on Education for the following reasons: Senator Rhoades wishes to offer his amendment on special education funding, which is vitally important; Senator Fisher has an amendment on outcome-based education; Senator Brightbill has an amendment on sabbatical leaves; and Senator Salvatore has an amendment on school busing, all of which are extremely important to the people of the Commonwealth of Pennsylvania. We would ask

that the bill remain on the Calendar and be considered so that those four Members may offer those amendments.

The PRESIDENT. On the motion, the Chair recognizes the gentleman from Fayette, Senator Lincoln.

Senator LINCOLN. Mr. President, it is unfortunate that we cannot always get what we want in this business, but we are trying to accommodate everyone. We have a meeting called off the floor for the Committee on Education and we are going to deal with special ed in a House bill that can be sent directly to the House for concurrence, and I would imagine when that bill gets out on the Calendar tomorrow there will be an opportunity to offer all the other amendments that people are interested in offering. For that reason, I would ask that the motion to refer be carried, and I ask for a "yes" vote.

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

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

YEAS—25

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

NAYS—23

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

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

The PRESIDENT. Senate Bill No. 293 will be rereferred to the Committee on Education.

BILL OVER IN ORDER

SB 601 — Without objection, the bill was passed over in its order at the request of Senator BODACK.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Loeper.

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

The PRESIDENT. Senator Loeper requests a temporary Capitol leave for Senator Armstrong. The Chair hears no objection. That leave will be granted.

THIRD CONSIDERATION CALENDAR  
RESUMED

BILL ON THIRD CONSIDERATION AMENDED

SB 606 (Pr. No. 1147) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for rights and duties of candidates for nomination or election and for notice of certain contributions.

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

FUMO AMENDMENT NO. A1642

Senator FUMO, by unanimous consent, offered the following amendment No. A1642:

Amend Sec. 1 (Sec. 417), page 1, line 22, by inserting after "election": whose candidacy appears on the ballot in more than one election district

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

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I request a temporary Capitol leave for Senator Scanlon.

The PRESIDENT. Senator Bodack requests a temporary Capitol leave for Senator Scanlon. The Chair hears no objection. That leave will be granted.

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

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

Senator JUBELIRER. Mr. President, we have not seen this amendment, and I know the Members want to understand what the amendment is.

The PRESIDENT. The Chair thanks the gentleman, and for the purpose of an explanation of the amendment, the Chair recognizes the gentleman from Philadelphia, Senator Fumo.

Senator FUMO. Mr. President, this bill would basically allow any candidate for office to enter a polling place where his name is on the ballot. What this amendment does is it limits that privilege to only those candidates who run in more than one election precinct, the theory being that under current law, if you are a candidate you can only get a watcher certificate at one precinct, and, therefore, you would be precluded from going around. That is why you would need this. But if they are running only in one precinct—and the people who do that, basically, are judges of elections, clerks of elections, and the various party committee people for that election precinct—they can get a watcher certificate that would affect the area in which they run. So this just makes it clear that this only ap-



plies to a candidate who has to run in more than one election precinct.

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

A voice vote having been taken, the question was determined in the affirmative, and the amendment was agreed to.

On the question,

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

#### TILGHMAN AMENDMENT NO. A1594

Senator TILGHMAN, by unanimous consent, offered the following amendment No. A1594:

Amend Title, page 1, line 11, by inserting after "for": petitions and affidavits of circulators, for

Amend Bill, page 2, by inserting between lines 4 and 5:

Section 2. Section 909 of the act, amended February 19, 1986 (P.L.29, No.11), is amended to read:

Section 909. Petition May Consist of Several Sheets; Affidavit of Circulator.—Said nomination petition may be on one or more sheets, and different sheets must be used for signers resident in different counties. If more than one sheet is used, they shall be bound together when offered for filing if they are intended to constitute one petition, and each sheet shall be numbered consecutively beginning with number one, at the foot of each page. In cases of petitions for delegate or alternate delegate to National conventions, each sheet shall contain a notation indicating the presidential candidate to whom he is committed or the term "uncommitted." [Each sheet shall have appended thereto] Printed upon each sheet shall be the affidavit of the circulator [of each sheet], setting forth—(a) that he or she is a qualified elector duly registered and enrolled as a member of the designated party of the State, or of the political district, as the case may be, referred to in said petition, unless said petition relates to the nomination of a candidate for a court of common pleas, for the Philadelphia Municipal Court or for the Traffic Court of Philadelphia or for justice of the peace, in which event the circulator need not be a duly registered and enrolled member of the designated party; (b) his residence, giving city, borough or township, with street and number, if any; (c) that the signers thereto signed with full knowledge of the contents of the petition; (d) that their respective residences are correctly stated therein; (e) that they all reside in the county named in the affidavit; (f) that each signed on the date set opposite his name; and (g) that, to the best of affiant's knowledge and belief, the signers are qualified electors and duly registered and enrolled members of the designated party of the State, or of the political district, as the case may be. No affidavit may be executed on any form other than that printed upon the sheet, and nothing may be attached or appended to the sheet under any circumstances.

Amend Sec. 2, page 2, line 5, by striking out "2" and inserting:

3

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting:

4

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

#### AMENDMENT OFFERED

Senator BAKER, by unanimous consent, offered the following amendment No. A1352:

Amend Title, page 1, line 12, by inserting after "election": , for special elections for positions in the General Assembly

Amend Bill, page 2, by inserting between lines 3 and 4:

Section 2. Section 628 of the act, amended August 13, 1963 (P.L.707, No.379), is amended to read:

Section 628. Special Elections for Senator and Representative in the General Assembly.—Whenever a vacancy shall occur in either house of the General Assembly whether or not it then be in session, the presiding officer of such house shall, within ten (10) days after the happening of the vacancy, issue a writ of election to the proper county board or boards of election and to the Secretary of the Commonwealth, for a special election to fill said vacancy, which election shall be held [on a date named in the writ, which shall be not less than sixty (60) days after the issuance of said writ. The presiding officer may fix, in such writ of election, the date of the next ensuing primary, municipal or general election as the date for holding any such special election] at the next ensuing primary, municipal or general election scheduled at least sixty (60) days after the issuance of the writ or such other earlier date which is at least sixty (60) days following the issuance of the writ as the presiding officer may deem appropriate: Provided, however, That should the Governor after the issuance of the said writ of election advise the presiding officer that the General Assembly will be called into extraordinary session prior to the date set for such special election, the presiding officer may countermand the writ theretofore issued and shall issue a new writ of election, fixing therein such earlier date therefor as is deemed expedient, but which shall not be less than sixty (60) days after the issuance of said writ[.]; Provided further, That if the vacancy shall occur less than five months prior to the expiration of the term, a special election shall be held only if, in the opinion of the presiding officer, the election is in the public interest.

Amend Sec. 2, page 2, line 5, by striking out "2" and inserting:

3

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting:

4

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Baker.

Senator BAKER. Mr. President, I hope my colleagues will bear with me for a moment while I explain the reasons for this amendment.

In January, many of us were very disappointed when the special election for the 10th District was delayed until July, when it could have been held as early as March, or in conjunction with the primary on May 18. The date was unexpected, since all 17 of the most recent special elections for the State Senate were held not later than the next succeeding scheduled primary, municipal, or general election. In fact, 7 of the 17 most recent special elections for the State Senate had been held on a date earlier than the next succeeding primary, municipal, or general election. Earlier this Session Senate Bill No. 561 was offered, which prohibits the scheduling of special elections beyond the next regularly scheduled election which is at least 60 days beyond the issuance of the writ. Since that has not been reported out, this amendment has been offered as an al-

ternative. This would not prevent the situation which has occurred in the 10th Senatorial District, but it would prevent a recurrence of situations such as those seen in the House as recent as last Session where the exercise of discretion by the Speaker resulted in districts in the city of Chester, Delaware County, and in the county of Montgomery being unrepresented for nearly a year. Some vacancies have extended even longer, for over 400 days. Since the court, in the case of Greenwood vs. Singel, intimated that it would react differently to a decision to not schedule an election than it did to a dispute over the date of an election, it would seem clear that we should not leave the existing statute uncorrected.

The League of Women Voters of Pennsylvania has supported this bill and this position, and I think we should quote from the League of Women Voters briefly to describe why this amendment is a good idea. "It is the very nature of representative government that every citizen be represented in the legislative body by a person chosen by popular vote....When an elected office becomes vacant, that office should be filled as quickly as possible." For the Senate, the bill only codifies what had been Senate practice, at least until this year.

I urge my colleagues to support this very important amendment which would restore the rights of citizens in terms of their being represented in this body.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, we on this side of the aisle are well aware of the good points of the gentleman's amendment. I would remind the Members of our Caucus that we discussed this extensively in our caucus, and I would ask for a "no" vote.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Stewart.

Senator STEWART. Mr. President, very briefly, there are arguments, as we all know, on both sides of this issue. I was involved in a special election, and there were Members on the Republican side who said it was held too quickly, that we should have waited until the primary, and that was because they wanted a higher voter turnout. So that everyone who is listening to this debate understands, there are arguments on both sides, and I think the amendment should be defeated.

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Peterson.

Senator PETERSON. Mr. President, I rise to support the Baker amendment. If I sense anything out in the public, they are tired of our partisan politics in Pennsylvania as usual. They are sick of it, and they would like things to be done right, and it makes sense.

I would like to commend the Lieutenant Governor. He gave a wonderful speech here some time ago when his seat was going to be vacated of why it should be filled in a timely manner, that the people from that district be represented continuously and not have a long lag. Now, the same speech could have been used this time, but something different happened for partisan political advantage. We ought to make it concurrent.

It ought to be done timely. People from all parts of Pennsylvania ought to have a Senator representing them as soon as it is logically possible. We should not be using these sorts of things for political advantage, Republican or Democrat. People are tired of partisan bickering in Pennsylvania government. They are tired of being deprived of their right to be represented in this hall, and this amendment makes sense now. There is no good reason not to do it. It treats Republicans the same as it treats Democrats. It takes away this political advantage to those who want to use it to prevent somebody from being elected or to help somebody get elected. Let us give people their voice back in Harrisburg in a timely, logical manner. The Baker amendment does that.

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

Senator JUBELIRER. Mr. President, it is not my intent to rehash the debate which got highly charged and quite emotional, certainly on my part, on that January day. But as I look at the letter from the League of Women Voters, I think it is important that they be heard through me, and I would just read the following paragraph, because I think it sums everything up in one paragraph.

It says, "It is the very nature of representative government that every citizen be represented in the legislative body by a person chosen by popular vote. Citizens expect their elected officials to serve the best interests of the people, and even when expectations are not met, constituents should have someone to whom they can complain. When an elected office becomes vacant, that office should be filled as quickly as possible. The people of that district should not be without this basic right of citizenship any longer than absolutely necessary. Without representation, they are effectively disenfranchised."

As we move through this budget season and all the highly-charged controversial issues, Mr. President, I think that the people of that district, and not just that district but every district in the future, because this is prospective, should at least have the knowledge that there is some date soon in which that vacancy will be filled. I think the gentleman from Chester, Senator Baker, has captured that need in the words of the League of Women Voters on disenfranchisement very well, and I, too, would urge support of this amendment, because we do not know where the chips are going to fall in the future, without question. It could be Republican, it could be Democrat. There are districts that are marginal. We do not know. This is a way to do it in a bipartisan fashion and hopefully satisfy, finally, the time consideration that has been missing under the Constitution.

Thank you, Mr. President.

#### LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, Senator Fumo has been called from the floor. I request a temporary Capitol leave for him.

The PRESIDENT. The Chair hears no objection. The leave will be granted.

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

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

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

The PRESIDENT. The gentleman will be so recorded.

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

The PRESIDENT. The gentleman will be so recorded.

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

YEAS—23

Table listing names of Senators who voted 'Yeas': Armstrong, Baker, Bell, Brightbill, Corman, Fisher, Greenleaf, Hart, Holl, Jubelirer, Lemmond, Loeper, Madigan, Mowery, Peterson, Punt, Rhoades, Robbins, Salvatore, Shaffer, Shumaker, Tilghman, Wenger.

NAYS—25

Table listing names of Senators who voted 'Nays': Afflerbach, Andrezeski, Belan, Bodack, Bortner, Dawida, Fattah, Fumo, Jones, LaValle, Lewis, Lincoln, Lynch, Mellow, Musto, O'Pake, Pecora, Porterfield, Reibman, Scanlon, Schwartz, Stapleton, Stewart, Stout, Williams.

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, as amended?

AMENDMENT OFFERED

Senator HART, by unanimous consent, offered the following amendment No. A1411:

Amend Title, page 1, line 13, by removing the period after "CONTRIBUTIONS" and inserting: ; and eliminating straight party voting.

Amend Bill, page 2, by inserting between lines 4 and 5: Section 2. Section 1003(a) and (f) of the act, amended April 24, 1947 (P.L.68, No.33) and December 10, 1974 (P.L.835, No.280), are amended to read:

Section 1003. Form of Official Election Ballot.—

(a) (1) The official ballots for general, municipal and special elections shall be in substantially the following form:

OFFICIAL BALLOT

..... District, ..... Ward, City of ....., County of ....., State of Pennsylvania ..... Election held on the .... day of ....., 19.. A cross (X) or check ( ) mark in the square opposite the name of any candidate indicates a vote for that candidate.

(2) [To vote a straight party ticket, mark a cross (X) or check ( ) in the square, in the Party Column, opposite the name of the party

of your choice.] To vote for an individual candidate [of another party after making a mark in the party square], mark a cross (X) or check ( ) opposite his name. For an office where more than one candidate is to be voted for, the voter, after marking in the party square, may divide his vote by marking a cross (X) or check ( ) to the right of each candidate for whom he or she desires to vote. For such office votes shall not be counted for candidates not individually marked.

(3) To vote for a person whose name is not on the ballot, write, print or paste his name in the blank space provided for that purpose. A cross (X) or check ( ) mark in the square opposite the names of the candidates of any party for President and Vice-President of the United States indicates a vote for all the candidates of that party for presidential elector. To vote for individual candidates for presidential elector, write, print or paste their names in the blank spaces provided for that purpose under the title "Presidential Electors." Mark ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen; use the same pencil or pen for all markings you place on the ballot.

(4) Before leaving the voting compartment, fold this ballot, without displaying the markings thereon, in the same way it was folded when received, then leave the compartment and exhibit the ballot to one of the election officers who shall ascertain by an inspection of the number appearing upon the right hand corner of the back of the ballot whether the ballot so exhibited to him is the same ballot which the elector received before entering the voting compartment. If it is the same, the election officer shall direct the elector, without unfolding the ballot, to remove the perforated corner containing the number, and the elector shall immediately deposit the ballot in the ballot box. Any ballot deposited in a ballot box at any primary or election without having the said number torn off shall be void and shall not be counted.

Party Column [To Vote a Straight Party Ticket Mark a Cross (X) or Check ( ) in this Column.] Presidential Electors (Vote for the candidates of one party for President and Vice-President, or insert the names of candidates.)

For Democratic John Stiles and Richard Doe, Democratic ..... For Republican John Doe and Richard Roe, Republican ..... For Socialist John Smith and William Jones, Socialist .....

Citizens United States Senator. (Vote for one)

Richard Roe ..... Democratic John Doe ..... Republican Richard Stiles ..... Socialist

Governor. (Vote for one) Richard Roe ..... Democratic John Doe ..... Republican Richard Stiles ..... Socialist

Representative in Congress, ..... District. (Vote for one)

Richard Roe ..... Democratic John Doe ..... Republican Richard Stiles ..... Socialist

Senator in the General Assembly,

..... District.  
(Vote for one)

John Doe ..... Democratic  
Richard Roe ..... Republican

\* \* \*

[(f) In order that each elector may have the opportunity of designating his choice for all the candidates nominated by one political party or political body, there shall be printed on the extreme left of the ballot, and separated from the rest of the ballot by a space of at least one-half inch, a list of the names of all the political parties or political bodies represented on such ballot which have nominated candidates to be voted for at such election. Such names shall be arranged in the order of the votes obtained at the last gubernatorial election by the candidate for Governor of the parties or bodies nominating, beginning with the party that received the highest number of votes cast. Following the names of such political parties and political bodies shall be the names of the parties and bodies not represented on the ballot at the last gubernatorial election, arranged alphabetically, according to the party name or appellation. A square of sufficient size for the convenient insertion of a cross mark shall be placed at the right of each party name or appellation.]

\* \* \*

Section 3. Section 1107(b) of the act is amended to read:

Section 1107. Requirements of Voting Machines.—No voting machine shall, upon any examination or reexamination, be approved by the Secretary of the Commonwealth, or by any examiner appointed by him, unless it shall, at the time, satisfy the following requirements:

\* \* \*

[(b) It shall permit each voter, at other than primary elections, to vote a straight political party ticket in one operation, and, in one operation, to vote for all the candidates of one political party for presidential electors, and, in one operation, to vote for all the candidates of one political party for every office to be voted for, except those offices as to which he votes for individual candidates.]

\* \* \*

Section 4. Section 1110(a), (b) and (h) of the act, amended April 24, 1947 (P.L.68, No.33) and December 22, 1971 (P.L.613, No.165), are amended to read:

Section 1110. Form of Ballot Labels on Voting Machines.—

(a) The papers, cards or strips, enclosed within the ballot frame or frames of any voting machine, and containing the names of a candidate or candidates, [or political party,] or the statement of a question to be voted upon, hereinafter referred to as ballot labels, shall be printed in black ink, upon clear white material, of such size as will fit the ballot frame, and in plain clear type so as to be easily readable by persons with normal vision.

(b) If the construction of the machine shall require it, the ballot label for each candidate, group of candidates, [political party,] or question, to be voted on, shall bear the designating letter or number of the counter on the voting machine which will register or record votes therefor. Each question to be voted on shall appear on the ballot labels, in brief form, of not more than seventy-five words, to be determined by the Secretary of the Commonwealth in the case of constitutional amendments or other questions to be voted on by the electors of the State at large, and by the county election board in other cases.

\* \* \*

(h) The names of all candidates of a political party shall appear in the same row or column, and except in cases of names of presidential commitments of nominees for delegate or alternate delegate to political party National conventions no other names shall appear in the same row or column[, to the left or top of which shall be a straight party lever, by means of which an elector may, in one operation, vote for all the candidates of that political party for every office to be voted for]. Where the names of the delegate or alternate delegate and the presidential candidate he is supporting shall both appear, the print size of the name of the delegate or alternate delegate shall be equal to the size of the name of the particular presidential candidate to whom he is committed, or in the case where he is uncommitted, the word "uncommitted" shall appear in the same size print. The

names of such candidates shall be arranged under or opposite the title of the office for which they are candidates, and shall appear in the order of the votes obtained by the candidate for Governor of the party nominated at the last gubernatorial election, beginning with the party obtaining the highest number of votes: Provided, however, That in the case of parties or bodies not represented on the ballot at the last gubernatorial election, the names of the candidates of such parties shall be arranged alphabetically, according to the party or body name. The names of all candidates of a political body shall appear in the same row or column, and, if the number of parties and bodies permits, each political body shall be entitled exclusively to a separate row or column[, with a straight party lever]. If, however, the number of political parties and political bodies renders it impossible or impracticable to so arrange the political bodies, in such case said bodies shall not be entitled to a separate row or column [and a straight party lever], but shall be listed by political appellations on the first left hand or top row, with the designating letter and number of the ballot label where their candidates may be found, together with the political appellations of other political bodies, whose candidates may be interspersed on the same row or column. Subject to the aforesaid limitations, the form and arrangement of ballot labels, as to the placing thereon of political bodies, shall be within the discretion of the county board.

\* \* \*

Section 5. Sections 1107-A(3), 1109-A(a)(2) and (d) and 1112-A(a)(2) and (b)(4) of the act, added July 11, 1980 (P.L.600, No.128), are amended to read:

Section 1107-A. Requirements of Electronic Voting Systems.—No electronic voting system shall, upon any examination or reexamination, be approved by the Secretary of the Commonwealth, or by any examiner appointed by him, unless it shall be established that such system, at the time of such examination or reexamination:

\* \* \*

[(3) Permits each voter, at other than primary elections, to vote a straight political party ticket by one mark or act and, by one mark or act, to vote for all the candidates of one political party for presidential electors and, by one mark or act, to vote for all the candidates of one political party for every office to be voted for, and every such mark or act shall be equivalent to and shall be counted as a vote for every candidate of the political party so marked including its candidates for presidential electors, except with respect to those offices as to which the voter has registered a vote for individual candidates of the same or another political party or political body, in which case the automatic tabulating equipment shall credit the vote for that office only for the candidate individually so selected, notwithstanding the fact that the voter may not have individually voted for the full number of candidates for that office for which he was entitled to vote.]

\* \* \*

Section 1109-A. Forms.—(a) \* \* \*

(2) The pages placed on the voting device shall be of sufficient number to include, following the listing of particular candidates, the names of candidates for any nonpartisan offices and any measures for which a voter may be qualified to vote on a given election day[, provided further that for municipal, general or special elections, the first ballot page shall list in the order that such political parties are entitled to priority on the ballot, the names of such political parties with designating arrows so as to indicate the voting square or position on the ballot card where the voter may insert by one mark or punch the straight party ticket of his choice].

\* \* \*

[(d) In partisan elections the ballot cards shall include a voting square or position whereby the voter may by one punch or mark record a straight party ticket vote for all the candidates of one party or may vote a split ticket for the candidates of his choice.]

\* \* \*

Section 1112-A. Election Day Procedures and the Process of Voting.—(a) In an election district which uses an electronic voting system in which votes are registered electronically, the following procedures will be applicable for the conduct of the election at the election district:

\* \* \*

(2) At primary elections, the voter shall be able to vote for each candidate individually by the means provided. At all other elections, he may vote for each candidate individually[, or he may vote a straight political party ticket in one operation by operating the straight political party mechanism of the political party or political body of his choice]. He may also, [after having operated the straight party mechanism and] before recording his vote, cancel the vote for any candidate [of such political party or political body] and may thereupon vote for a candidate of another party, or political body for the same office. The voter may also vote individually for or against a question submitted to the vote of the electors.

\* \* \*

(b) In an election district which uses an electronic voting system which utilizes paper ballots or ballot cards to register the votes, the following procedures will be applicable for the conduct of the election at the election district:

\* \* \*

(4) [If the voter desires to vote for every candidate of a political party or political body, except its candidates for offices as to which he votes for individual candidates in the manner hereinafter provided, he may make a cross (X) or check

( ) or punch or mark sense mark in the square opposite the name of the party or political body so marked, including its candidates for presidential electors, except for those offices as to which he has indicated a choice for individual candidates of the same or another party or political body, by making a cross (X) or check ( ) or punch or mark sense mark opposite their names in the manner hereinabove provided, as to which offices his ballot shall be counted only for the candidates which he has thus individually marked, notwithstanding the fact that he made a mark in the party column, and even though in the case of an office for which more than one candidate is to be voted for, he has not individually marked for such office the full number of candidates for which he is entitled to vote. If he desires to vote for the entire group of presidential electors nominated by any party or political body, he may make a cross (X) or check ( ) or punch or mark sense mark in the appropriate space opposite the names of the candidates for President and Vice-President of such party or body.] If [he] the voter desires to vote a ticket for presidential electors made up of the names of persons nominated by different parties or political bodies, or partially of names of persons so in nomination and partially of names of persons not in nomination by any party or political body, or wholly of names of persons not in nomination by any party or political body, he shall insert the names of the candidates for presidential electors for whom he desires to vote in the blank spaces provided therefor on the write-in ballot under the title of the office "Presidential Electors". In case of a question submitted to the vote of the electors, he may make a cross (X) or check ( ) or punch or mark sense mark in the appropriate square opposite the answer which he desires to give.

\* \* \*

Section 6. Section 1215(c) of the act, amended January 8, 1959 (P.L.2142, No.790), is amended to read:

Section 1215. Method of Marking Ballots and Depositing Same in Districts in Which Ballots are Used.—\* \* \*

(c) At elections, the elector shall prepare his ballot in the following manner: He may vote for the candidates of his choice for each office to be filled according to the number of persons to be voted for by him for each office, by making a cross (X) or check ( ) mark in the square opposite the name of the candidate, or he may insert by writing, stamping or sticker, in the blank spaces provided therefor, any name not already printed on the ballot, and such insertion shall count as a vote without the making of a cross (X) or check ( ) mark. [If he desires to vote for every candidate of a political party or political body, except its candidates for offices as to which he votes for individual candidates in the manner hereinafter provided, he may make a cross (X) or check ( ) mark in the square opposite the name of the party or political body of his choice in the party column on the left of the ballot, and every such cross (X) or check ( ) mark shall be

equivalent to and be counted as a vote for every candidate of a party or political body so marked, including its candidates for presidential electors, except for those offices as to which he has indicated a choice for individual candidates of the same or another party or political body, by making a cross (X) or check ( ) mark opposite their names in the manner hereinabove provided, as to which offices his ballot shall be counted only for the candidates which he has thus individually marked, notwithstanding the fact that he made a mark in the party column, and even though in the case of an office for which more than one candidate is to be voted for, he has not individually marked for such office the full number of candidates for which he is entitled to vote. If he desires to vote for the entire group of presidential electors nominated by any party or political body, he may make a cross (X) or check

( ) mark in the appropriate square at the right of the names of the candidates for President and Vice-President of such party or body.] If he desires to vote a ticket for presidential electors made up of the names of persons nominated by different parties or political bodies, or partially of names of persons so in nomination and partially of names of persons not in nomination by any party or political body, or wholly of names of persons not in nomination by any party or political body, he shall insert the names of the candidates for presidential electors for whom he desires to vote in the blank spaces provided therefor under the title of the office "Presidential Electors." In case of a question submitted to the vote of the electors, he may make a cross (X) or check ( ) mark in the appropriate square opposite the answer which he desires to give.

\* \* \*

Section 7. Section 1216(d) of the act is amended to read:

Section 1216. Instructions of Voters and Manner of Voting in Districts in Which Voting Machines are Used.—

\* \* \*

(d) At primaries, he shall vote for each candidate individually by operating the key, handle, pointer or knob, upon or adjacent to which the name of such candidate is placed. At elections, he may vote for each candidate individually by operating the key, handle, pointer or knob, upon or adjacent to which the names of candidates of his choice are placed[, or he may vote a straight political party ticket in one operation by operating the straight political party lever of the political party or political body of his choice, if such machine has thereon a separate lever for all the candidates of the political body]. He may also, [after having operated the straight party lever, and] before recording his vote, cancel the vote for any candidate [of such political party or political body] by replacing the individual key, handle, pointer or knob of such candidate, and may thereupon vote for a candidate of another party, or political body for the same office by operating the key, handle, pointer or knob, upon or adjacent to which the name of such candidate appears. In the case of a question submitted to the vote of the electors, the elector shall operate the key, handle, pointer or knob corresponding to the answer which he desires to give.

\* \* \*

Section 8. Section 1222 of the act, amended July 14, 1961 (P.L.644, No.332), is amended to read:

Section 1222. Count and Return of Votes in Districts in Which Ballots are Used.—

(a) As soon as all the ballots have been properly accounted for, and those outside the ballot box, as well as the "Voting Check List," numbered lists of voters and district register sealed, the election officers shall forthwith open the ballot box, and take therefrom all ballots therein, and at primaries, separate the same according to the party to which they belong. The ballots shall then be counted one by one, and a record made of the total number, and at primaries of the total number cast for each party. Then the judge, under the scrutiny of the minority inspector, or the minority inspector, under the scrutiny of the judge, in the presence of the other officers, clerks, and of the overseers, if any, and within the hearing and sight of the watchers outside the enclosed space, shall read aloud the names of the candidates marked or inserted upon each ballot (at primaries the ballots of each

party being read in sequence), together with the office for which the person named is a candidate, and the answers contained on the ballots to the questions submitted, if any, and the majority inspector and clerks shall carefully enter each vote as read, and keep account of the same in ink in triplicate tally papers (triplicate tally papers for each party at primaries) to be provided by the county board of elections for that purpose, all three of which shall be made at the same time: Provided, That at all general, municipal and special elections, in entering each vote received by candidates at such election, it shall not be necessary to enter separate tally marks for each vote received by such candidates upon the ballots containing the same votes for the same names, commonly known, and in this act designated as "Straight Party Tickets" for such purpose straight party ticket votes shall be entered carefully as each straight party ticket vote is read on the triplicate tally sheets under the heading "Number of votes received upon the ..... straight party tickets." Upon completing the number of votes received by each straight party ticket, the number so tallied for each party shall be entered numerically on the extreme right hand margin of each such tally paper. All ballots, after being removed from the box, shall be kept within the unobstructed view of all persons in the voting room until replaced in the box. No person while handling the ballots shall have in his hand any pencil, pen, stamp or other means of marking or spoiling any ballot. The election officers shall forthwith proceed to canvass and compute the votes cast, and shall not adjourn or postpone the canvass or computation until it shall have been fully completed.

(b) When the vote cast for the different persons named upon the ballots and upon the questions, if any, appearing thereon, shall have been fully recorded in the tally papers and counted, the election officers shall duly certify to the number of votes cast for each person (upon the respective party tickets at primaries), and shall prepare in ink two (2) general returns, showing, in addition to the entries made thereon as aforesaid, the total number of ballots received from the county board (the total of each party at primaries), the number of ballots cast (the number of each party at primaries), the number of ballots (of each party at primaries) declared void, and the number of ballots spoiled and cancelled, and any blank ballots cast, as well as the votes cast for each candidate. At elections, the number of votes cast for each candidate by each political party or political body of which such candidate is a nominee shall be separately stated: Provided, That the number of votes received by each set of candidates upon "straight party tickets" shall be entered opposite the names of the respective candidates in a column immediately adjoining upon the left which column shall be of convenient width and shall be headed "number of votes received upon straight party tickets." In an immediate column to the left thereto, the number of votes received by each candidate upon all ballots other than "straight party tickets" including all ballots known as "split tickets" shall be entered, such column to be of convenient width and shall be headed "number of votes received other than upon straight party tickets." The number of votes received by each candidate as shown in the column headed "number of votes received upon straight party tickets" shall then be added, together with the number of votes received by each candidate as shown in the column headed "number of votes received other than upon straight party tickets" and thereupon, the total number of votes received by each candidate shall be entered in a column on the extreme right-hand side of the return sheets, which column shall be of convenient width and shall be headed "total number of votes."

[Nothing in this section contained shall be construed to authorize or permit the canvassing, counting or tallying ballots with any less degree of strictness than otherwise required by law, the intention of this section being to dispense with the individual tally marks only so far as the so-called "straight party tickets" are concerned, and all other operations of tallying, counting, canvassing and announcing the votes shall proceed as near as may be in accordance with the other provisions of this act.]

(c) In returning any votes cast for any person whose name is not printed on the ballot, the election officers shall record any such names

exactly as they were written, stamped or applied to the ballot by sticker.

Section 9. Section 1223 of the act, amended January 8, 1960 (1959 P.L.2142, No.790) and August 13, 1963 (P.L.707, No.379), is amended to read:

Section 1223. What Ballots Shall Be Counted; Manner of Counting; Defective Ballots.—(a) No ballot which is so marked as to be capable of identification shall be counted. Any ballot that is marked in blue, black or blue-black ink, in fountain pen or ball point pen, or black lead pencil or indelible pencil, shall be valid and counted: Provided, That all markings on the ballot are made by the same pen or pencil. Any ballot marked by any other mark than an (X) or check ( ) in the spaces provided for that purpose shall be void and not counted: Provided, however, That no vote recorded thereon shall be declared void because a cross (X) or check ( ) mark thereon is irregular in form. [Any erasure, mutilation or defective marking of the straight party column at November elections shall render the entire ballot void, unless the voter has properly indicated his choice for candidates in any office block, in which case the vote or votes for such candidates only shall be counted.] Any erasure or mutilation in the vote in any office block shall render void the vote for any candidates in said block, but shall not invalidate the votes cast on the remainder of the ballot, if otherwise properly marked. Any ballot indicating a vote for any person whose name is not printed on the ballot, by writing, stamping or sticker, shall be counted as a vote for such person, if placed in the proper space or spaces provided for that purpose, whether or not an (X) or check ( ) is placed after the name of such person: Provided, however, That if such writing, stamping or sticker is placed over the name of a candidate printed on the ballot, it shall render the entire vote in said office block void. If an elector shall mark his ballot for more persons for any office than there are candidates to be voted for for such office, or if, for any reason, it may be impossible to determine his choice for any office, his ballot shall not be counted for such office, but the ballot shall be counted for all offices for which it is properly marked. Ballots not marked, or improperly or defectively marked, so that the whole ballot is void, shall be set aside and shall be preserved with the other ballots.

(b) At November elections, a cross (X) or check ( ) mark in the square opposite the name of political party or political body in the party column shall be counted as a vote for every candidate of that party or body so marked, including its candidates for presidential electors, except for those offices as to which the voter has indicated a choice for individual candidates of the same or another party or body in any office block, in which case the ballot for such office block shall be counted only for the candidates thus individually marked, notwithstanding the fact that the voter has made a mark in the party column, and even though in the case of an office for which more than one candidate is to be voted for, he has not individually marked for such office the full number of candidates for which he is entitled to vote.]

Amend Sec. 2, page 2, line 5, by striking out "2" and inserting:

10

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting:

11

Amend Sec. 3, page 3, lines 1 and 2, by striking out all of said lines and inserting:

(2) The amendment of section 1628 of the act shall take effect immediately.

(3) This section shall take effect immediately.

(4) The remainder of this act shall take effect in one year.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Hart.

Senator HART. Mr. President, I offer an amendment which has also been circulated as Senate Bill No. 980 of this Session, and I had also introduced the bill last Session.

It is a good government measure, and what it does is it encourages everyone in the public to vote for the individual who is running for office and not the political party. What my amendment does is it amends the Election Code to remove from the voting machines and from paper ballots the option for casting a single vote for all of the nominees of a single political party in a general election.

Under current law, any voter may register a vote for each candidate nominated by a political party by pushing a single straight party lever or by marking a party column. This amendment would require that individual votes be cast for each office.

Mr. President, I believe this measure is something that we must support. It is something that the public has been asking for, and all the comments that I have received back are positive in that it encourages responsibility on the part of the voter to consider each and every candidate for office.

I encourage a positive vote on this amendment. Thank you, Mr. President.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I request a temporary Capitol leave for Senator Mellow, who has been called from the floor.

The PRESIDENT. Senator Bodack requests a temporary Capitol leave for Senator Mellow. The Chair hears no objection, and the leave will be granted.

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

A voice vote having been taken, the question was determined in the negative and the amendment was defeated.

The PRESIDENT. Without objection, Senate Bill No. 606 will go over in its order, as amended.

BILLS OVER IN ORDER

**SB 609, SB 611 and SB 612** -- Without objection, the bills were passed over in their order at the request of Senator BODACK.

BILL RECOMMENDED

**SB 724 (Pr. No. 777)** -- 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," further providing for the compulsory age of attendance.

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

Senator BODACK. Mr. President, I move that Senate Bill No. 724 be recommitted to the Committee on Education.

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

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

Senator JUBELIRER. Mr. President, I object to Senate Bill No. 724 being recommitted to the Committee on Education for the reasons that I gave previously on Senate Bill No. 293 - that is, there are four people who wish to offer amendments to an education bill, all of which would serve to benefit the Commonwealth of Pennsylvania, and we would respectfully ask that the bill not be recommitted so that the four Members have an opportunity to offer those amendments.

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

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

YEAS—25

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

NAYS—23

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

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

The PRESIDENT. Senate Bill No. 724 will be recommitted to the Committee on Education.

BILL OVER IN ORDER

**SB 863** -- Without objection, the bill was passed over in its order at the request of Senator BODACK.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 864 (Pr. No. 1209)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a cause of action for damages resulting from violations of unemployment compensation and workmen's compensation laws by bidders on construction contracts.

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

AMENDMENT OFFERED

Senator BAKER, by unanimous consent, offered the following amendment No. A1624:

Amend Sec. 1, page 1, line 14, by inserting after "corporation": found to have

Amend Sec. 1, page 1, line 18, by inserting after "Law,": by the Department of Labor and Industry or a referee or adjudicative board thereof, or a court,

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

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Baker.

Senator BAKER. Mr. President, briefly, this would add two lines to Senate Bill No. 864. I am probably supportive of the bill itself, but I think this would help clarify the conditions under which damages might be sought. It would add—and just because it is brief, I will read it—"by the Department of Labor and Industry or a referee or adjudicative board thereof, or a court." In other words, it would establish the fact that if there were going to be damages sought for a, quote, "knowing violation," unquote, of either the workers' comp or unemployment comp laws, that it would have to be established by an authoritative body or a board or a court, so that it would make it less likely that someone could simply assert that it had been violated knowingly and instead requires that this be established by some agency of the Commonwealth.

Thank you.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, Senator Bortner has been called from the floor and I request a temporary Capitol leave for him.

The PRESIDENT. Senator Bodack requests a temporary Capitol leave for Senator Bortner. The Chair hears no objection. That leave will be granted.

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

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I would remind the Members of our Caucus that we discussed this amendment, and I would ask for a "no" vote.

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

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

YEAS—20

Armstrong	Greenleaf	Loeper	Robbins
Baker	Hart	Madigan	Shaffer
Brightbill	Holl	Mowery	Shumaker
Corman	Jubelirer	Peterson	Tilghman
Fisher	Lemmond	Punt	Wenger

NAYS—28

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

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.

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

NAYS—2

Corman	Tilghman
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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.

BILLS OVER IN ORDER

SB 1008 and SB 1025 -- Without objection, the bills were passed over in their order at the request of Senator BODACK.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Mellow being with us, his leave will be cancelled at this point.



## CONSIDERATION OF CALENDAR RESUMED

### HB 65 CALLED UP

**HB 65 (Pr. No. 1621)** -- 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 BODACK.

### BILL ON THIRD CONSIDERATION AMENDED

**HB 65 (Pr. No. 1621)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act, providing for public comment.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW, by unanimous consent, on behalf of himself and Senator JUBELIRER, offered the following amendment No. A1631:

Amend Sec. 1, page 1, lines 9 through 17; page 2, lines 1 through 7, by striking out all of said lines and inserting:

#### Section 10.1. Public participation.

(a) General rule.—Except as provided in subsection (d), the board or council of a political subdivision, or of an authority created by a political subdivision, shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or of the authority created by a political subdivision, or for both, to comment on matters of concern, official action or deliberation which are or may be before the board or council. If the board or council determines that there is not sufficient time at a meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or of the authority created by a political subdivision, or for both to comment, the board or council may defer the comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.

(b) Limitation on judicial relief.—If a board or council of a political subdivision, or an authority created by a political subdivision, has complied with the provisions of subsection (a), the judicial relief under section 13 shall not be available on a specific action solely on the basis of lack of comment on that action.

(c) Objection.—Any person has the right to raise an objection at any time to a perceived violation of this act at any meeting of a board or council of a political subdivision or an authority created by a political subdivision.

(d) Exception.—The board or council of a political subdivision or of an authority created by a political subdivision which had, before January 1, 1993, established a practice or policy of holding special meetings, solely for the purpose of public comment, in advance of advertised regular meetings, shall be exempt from the provisions of subsection (a).

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 MELLOW.

## RECESS

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I would ask that we have a recess of the Senate for purposes of meetings of the Committee on Education and the Committee on Appropriations. The meeting of the Committee on Education will take place in the Rules room, as will the meeting of the Committee on Appropriations.

The PRESIDENT. For purposes of a meeting of the Committee on Education, followed by a meeting of the Committee on Appropriations, both to convene in the Rules room at the rear of the Senate Chamber, the Senate will stand in brief recess.

## AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

## SECOND CONSIDERATION CALENDAR

### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 243 (Pr. No. 250)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1956 (1955 P. L. 1609, No. 537), entitled "Pennsylvania Industrial Development Authority Act," providing for job retention projects.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

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

## BILLS ON SECOND CONSIDERATION

**SB 333 (Pr. No. 1210)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 29, 1945 (P. L. 1134, No. 405), entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution, and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia and the District of Columbia;....," further providing for the members of the Interstate Commission on the Potomac River Basin for the Commonwealth.

Considered the second time and agreed to,

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

**SB 570 (Pr. No. 609)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664, No. 348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats.

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

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**HB 673 (Pr. No. 1708)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for confirmation of commission members, for license costs and fees, for the powers of the commission and the director, for increased penalties for shooting at, causing injury to or killing another person and for license revocation; and providing for a felony penalty and for hunting or shooting at, causing injury to or killing another person while under the influence of alcohol or controlled substances.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator BODACK and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**BILL OVER IN ORDER**

**SB 684** — Without objection, the bill was passed over in its order at the request of Senator BODACK.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**HB 718 (Pr. No. 1709)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for complimentary nonresident licenses; further providing for restrictions on recreational spotlighting, for permit fees and for disabled person permits.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator BODACK and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**BILL ON SECOND CONSIDERATION**

**SB 800 (Pr. No. 863)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for the titling of motor boats; and further providing for registration of boats.

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

**BILL OVER IN ORDER**

**SB 860** — Without objection, the bill was passed over in its order at the request of Senator BODACK.

**BILL REREFERRED**

**HB 887 (Pr. No. 966)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the qualifications for and the issuance of junior hunting or furtaker licenses.

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

**BILL OVER IN ORDER**

**SB 985** — Without objection, the bill was passed over in its order at the request of Senator BODACK.

**BILL ON SECOND CONSIDERATION**

**SB 1012 (Pr. No. 1115)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 6, 1968 (P. L. 117, No. 61), entitled, as amended, "Site Development Act," extending the expiration of approval authority.

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

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 1028 (Pr. No. 1142)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 14, 1991 (P. L. 342, No. 36), entitled "Lottery Fund Preservation Act," further providing for transportation services; and establishing an advisory council.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator BODACK and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**BILL OVER IN ORDER**

**SB 1032** — Without objection, the bill was passed over in its order at the request of Senator BODACK.

**BILLS ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 1062 (Pr. No. 1185)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Philadelphia Regional Airport Authority and providing for its powers and duties.

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

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

**SB 1067 (Pr. No. 1193)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the establishment of a separate account within the Game Fund.

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

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

**UNFINISHED BUSINESS  
REPORTS FROM COMMITTEES**

Senator FATTAH, from the Committee on Education, reported the following bills:

**SB 880 (Pr. No. 963)**

An Act providing the Early Childhood Education Professional Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their educational training to positions in approved child-care facilities in this Commonwealth.

**HB 438 (Pr. No. 1828) (Amended)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, requiring a report of certain racial and ethnic groupings; authorizing the board of school directors of certain school districts to levy different rates of taxation for school purposes on land and on buildings; providing for instructional support, for payments to intermediate units and for special education payments to school districts; and creating a fund for payments to approved private schools.

Senator LINCOLN, from the Committee on Rules and Executive Nominations, reported the following bills:

**SB 298 (Pr. No. 1149) (Rereported)**

An Act establishing the Agricultural Advisory Board in the Department of Environmental Resources and prescribing its powers; and providing for review by the board of certain proposed rules and regulations.

**SB 421 (Pr. No. 1049) (Rereported)**

An Act mandating that the boundaries between any county of the second class and any county of the third class be frozen as they appear in the official tax maps as of July 1, 1973.

**SENATE RESOLUTION**

**DESIGNATING MAY AS "ARMED FORCES  
MONTH" AND URGING THE SECRETARY  
OF EDUCATION TO INTEGRATE MILITARY  
CONTRIBUTIONS OF OUR VETERANS INTO  
THE SOCIAL STUDIES CURRICULUM**

Senators SHUMAKER, PUNT, LAVALLE, BELAN, REIBMAN, HELFRICK, HOLL, FISHER, AFFLERBACH, SALVATORE, JUBELIRER, CORMAN, O'PAKE, MUSTO, WENGER, MELLOW, STAPLETON, ROBBINS, HART, RHOADES and LINCOLN offered the following resolution (**Senate Resolution No. 60**), which was read, considered and adopted:

In the Senate, May 10, 1993

A RESOLUTION

Designating May as "Armed Forces History Month" and urging the Secretary of Education to integrate military history and contributions of our veterans into the social studies curriculum.

WHEREAS, The history of the United States of America reveals that our peaceful tranquility and pursuit of happiness have often been threatened or interrupted by the enemies of freedom; and

WHEREAS, Millions of Pennsylvania's sons and daughters have defended our nation during peace and armed conflict; and

WHEREAS, Military history and the sacrifices of our veterans have been an integral part of America's past; and

WHEREAS, It is important for Pennsylvanians to understand our military history and its role in keeping America free so that our citizens can enjoy the blessings of liberty; and

WHEREAS, Learning military history better prepares us to understand the complex problems which will be associated with the global challenges we will face in the future; therefore be it

RESOLVED, That the Senate of Pennsylvania urge the Secretary of Education and the Department of Education to encourage the integration of military history and the contributions of our veterans into Pennsylvania's social studies curriculum and further direct that May be designated as "Armed Forces History Month."

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Doviak by Senator Armstrong.

Congratulations of the Senate were extended to the students of Bellefonte Area Middle School and to Radio Station WZWW of State College by Senator Corman.

Congratulations of the Senate were extended to Steven A. Antol by Senator Dawida.

Congratulations of the Senate were extended to Warren V. Musser and to Georgie Woods by Senator Fattah.

Congratulations of the Senate were extended to Henry Brisca, Doylestown Manor and to Simmons Elementary School of Horsham by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Melvin C. Reedy by Senator Hart.

Congratulations of the Senate were extended to Christopher R. Hartman by Senator Lemmond.

Congratulations of the Senate were extended to Mildred I. DeBenedictis, Reverend Father James F. Bradley and to the Delaware County Chamber of Commerce by Senator Loeper.

Congratulations of the Senate were extended to Enrico Albanesi and to Howard B. Timms, Jr., by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Zygmunt Jurewicz, Mr. and Mrs. Norman Getz, Mr. and Mrs. Frank S. Greco, Robert W. Boock, Robert J. Pribula, William C. Players, Amelia Brislin, Gerald J. Taroli, Janice Lewis, Rocco Yanora, Andrew Mazzarella, Reverend Carl Ulrich and to Joyce Stocker by Senator Musto.

Congratulations of the Senate were extended to Elaine Metroka by Senators Musto and Lemmond.

Congratulations of the Senate were extended to John R. Nemcovsky by Senator Peterson.

Congratulations of the Senate were extended to Tracie Lynn Osman by Senator Punt.

Congratulations of the Senate were extended to Reverend Gloria M. Snipes, Jason Rowe, Brett Phillips, James A. Johnson, Dorothy L. Morris and to the Financial Secretaries of the Grantville Volunteer Fire Company by Senator Shumaker.

Congratulations of the Senate were extended to Robert C. Reitz by Senator Stapleton.

Congratulations of the Senate were extended to Joseph B. Leckie by Senator Stout.

### POSTHUMOUS CITATION

The PRESIDENT laid before the Senate the following citation, which was read, considered and adopted:

A posthumous citation honoring the late Lieutenant General James M. Gavin was extended to the Central Pennsylvania Chapter, 82nd Airborne Division Association by Senator Helfrick.

### REPORT FROM COMMITTEE

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

#### HB 958 (Pr. No. 1404) (Rereported)

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, providing for the salaries of members of the Pennsylvania Public Utility Commission; and making repeals.

### BILLS ON FIRST CONSIDERATION

Senator BODACK. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

**SB 880, SB 952 and HB 438.**

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

### PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Bell.

Senator BELL. Mr. President, Senate Bill No. 1, what has happened to it? I was in a meeting of the Committee on Rules and Executive Nominations when the President pro tempore stated that he wanted a negative vote on the House amendments so that this could go to a conference committee. As I recall his words, he said, I guarantee a report of progress by May 12. Today is May 10. What happened to it? Apparently, the press does not give a damn about it anymore. Where is it?

What has happened to the conference committee? I have not read anything about it. I have not heard anything about it. I think a conference committee is under sunshine. Does that mean that nothing is being done? I think before we break we should have a report as to whether there has been a conference committee meeting called, because I think the people of Pennsylvania would like to know.

The PRESIDENT. The Chair recognizes the President pro tempore.

The PRESIDENT pro tempore. Mr. President, I was sitting in my office when I heard Senate Bill No. 1 mentioned, and there is probably no bill in this body that will arouse my interest more than Senate Bill No. 1 because of the position I have taken with regard to workers' compensation and workers' compensation reform.

I am kind of happy that the individual who brought it to the floor, the gentleman from Delaware, Senator Bell—for whom I have a tremendous amount of respect not only as a Member of this Senate but also as a very highly decorated United States veteran—brought it up because I did not think that Senator Bell had much interest in workers' compensation since he voted against every workers' comp reform piece of legislation that came to this floor.

It was also mentioned by the speaker that he would like to know if a meeting was held, I believe, of the conference committee. Well, I believe that under the Sunshine Law, any meeting that would be held by the conference committee would be made public, and, of course, Members would be able to have input since it would be a public meeting. But I think it is important to at least allow the Senate to know that May 12 was, I would assume, an arbitrary date that was used in a meeting of the Committee on Rules and Executive Nominations several weeks ago when it was important that we get nonconcurrency on amendments to Senate Bill No. 1 for the purpose of trying to bring about a resolve.

I would like to have the record very clearly indicate, with regard to Senator Bell, that if it were up to this speaker, workers' comp reform would have been resolved back in 1991

and not in 1993. But I can assure Senator Bell that independent of the conference committee, individual Members of that conference committee, so as to not violate the Sunshine Law, are meeting. They have discussed different things as to how we may, in fact, be able to resolve the issue. There are great differences that divide the opponents and the proponents with regard to workers' comp. I can only tell him that as the person who on swearing-in day on January 5 said as far as I am concerned, this is the number one issue we have, and I have not backed off that one bit because we did assign Senate Bill No. 1 to it to show the importance of the issue, that I am doing everything I can in my power, as a sponsor of that bill, to make sure that meaningful reform with workers' compensation is brought about, because it is important for us to know that if we do not bring about the proper type of reform with workers' comp, that the exodus of businesses, especially small businesses that are leaving Pennsylvania, is going to escalate. It is going to continue because the price of trying to do business in Pennsylvania is becoming exceedingly more expensive.

What concerns me is what will take place shortly when we get our proposals dealing with health care and how those proposals will work. My greatest concern is that the individual groups of people who will be the hardest hit, even with that proposal, will be the people who have been the hardest hit with regard to a lack of accomplishment on all of our parts with regard to workers' comp reform, and that is the small business men and women of Pennsylvania.

So I can assure Senator Bell, if we can take the 1991, 1992, and 1993 hit parade, it is the number one song on my hit list, and I will do everything that I can over the next several weeks and several months until we go into our summer recess so that we do get it resolved.

But I would also like to offer the challenge to all Members of the body, including the previous speaker, that we pledge to one another that we do not recess nor do we adjourn this Senate in June of 1993 unless and until we have the proper resolution to workers' comp reform.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Bell.

Senator BELL. Mr. President, let us set the record straight. I voted to concur in the House amendments, which the gentleman from Lackawanna, Senator Mellow, opposed. I think the record shows that. And I can also count. My good friend, the gentleman from Philadelphia, Senator Fumo, once said, can you count? There are 25 Democrats, 24 Republicans. You get 24 Democrats to back you that we not recess, and you have the 25th vote right here.

I am awfully glad that you came back on the floor because I think from now on I invite the public press to ask you to speak openly with them as to why you, as chairman, I believe, of the conference committee, have not called a meeting of the committee.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the President pro tempore.

The PRESIDENT pro tempore. Mr. President, I would like to assure the gentleman from Delaware, Senator Bell, that I have always been very open and very frank to the news media whenever they have questioned me on workers' compensation reform or on any other issue.

Mr. President, the reason that I did not vote for the workers' compensation reform that came from the House of Representatives was because basically it was not meaningful workers' compensation reform. I would like to just mention to the gentleman from Delaware, Senator Bell, that he voted for a proposal that would allow an individual who went to work under the influence of alcohol and was injured because of the influence of alcohol to be able to collect workers' compensation. I would like to say to Senator Bell that he voted, in his vote to concur, for an individual who has gone to work under the influence of drugs, which is blatantly illegal, to go ahead and if that person was injured at the workplace, to collect workers' compensation. I would like to tell Senator Bell that he voted for a proposal that would allow an individual who is incarcerated—meaning they are in jail because of some form of problem and some ill that they have done to society—to be able to collect workers' compensation. Now, if Senator Bell believes that is workers' compensation reform, then I guess the definition of workers' comp reform is in the eyes of the beholder. To me, that is not reform at all, and if we have a meaningful workers' compensation reform, Senator Bell, I will vote for it. If we do not have a meaningful workers' compensation reform, even though it may pass in the Senate with your help, I will not vote for it. I will not be intellectually dishonest to people and go out of this building and tell them I voted for workers' compensation reform when I know full well that I did not.

## 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 BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

May 10, 1993

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, Ginny Brennan McNeil, R. R. #1, Box 991, Paxinos 17860, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 1995, and until her successor is appointed and qualified, vice Edward Reeser, Milton, resigned.

ROBERT P. CASEY  
Governor

**MEMBER OF THE STATE HEALTH  
FACILITY HEARING BOARD**

May 10, 1993

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. Carey, Jr., Esquire, 533 Poplar Church Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Health Facility Hearing Board, to serve for a term of four years and until his successor is appointed and qualified, pursuant to Act 179, approved December 18, 1992.

ROBERT P. CASEY  
Governor

**JUDGE, COURT OF COMMON PLEAS,  
SCHUYLKILL COUNTY**

May 10, 1993

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, Maryann D. Conway, Esquire, 1908 Mahantongo Street, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for appointment as Judge of the Court of Common Pleas of Schuylkill County, to serve until the first Monday of January, 1994, vice The Honorable Wilbur H. Rubright, mandatory retirement.

ROBERT P. CASEY  
Governor

**MEMBER OF THE MUNICIPAL POLICE  
OFFICERS' EDUCATION AND  
TRAINING COMMISSION**

May 10, 1993

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, Violet L. Stover, 112 Penn Street, Millheim 16854, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until February 21, 1996 and until her successor is appointed and qualified.

ROBERT P. CASEY  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF POLK CENTER**

May 10, 1993

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, Max M. Serafin, 14 Hone Avenue, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 1995, and until his

successor is appointed and qualified, vice Alvin Kessler, whose term expired.

ROBERT P. CASEY  
Governor

**PROTHONOTARY, CLERK OF COURTS  
AND CLERK OF ORPHANS' COURT,  
WYOMING COUNTY**

May 10, 1993

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, Mary Francis Dixon, R. R. 3, Box 3416, Factoryville 18419, Wyoming County, Twentieth Senatorial District, for appointment as Prothonotary, Clerk of Courts and Clerk of Orphans' Court, in and for the County of Wyoming, to serve until the first Monday of January 1994, vice Victoria Stefanko, resigned.

ROBERT P. CASEY  
Governor

**MEMBER OF THE STATE BOARD  
OF PSYCHOLOGY**

May 10, 1993

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 C. Brennan, Ph.D., 1701-B Clay Avenue, Scranton 18509, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Psychology, 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  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
SCRANTON STATE SCHOOL FOR THE DEAF**

May 10, 1993

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. Blaskiewicz, 623 South Street, Avoca 18641, Luzerne County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Scranton State School for the Deaf, to serve until the third Tuesday of January, 1997, and until his successor is appointed and qualified, vice April M. Nelson, Berwyn, whose term expired.

ROBERT P. CASEY  
Governor

**SHERIFF, SCHUYLKILL COUNTY**

May 10, 1993

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 V. McAndrew, P. O. Box 31, Raven Run, Lost Creek 17946, Schuylkill County, Twentieth Senatorial District, for appointment as Sheriff, in and for the County of Schuylkill, to serve until the first Monday of January 1994, vice Timothy T. Holden, resigned.

ROBERT P. CASEY  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER

May 10, 1993

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, Diane Marie Cole, 340 Montclair Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified.

ROBERT P. CASEY  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER

May 10, 1993

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, David G. Sciamanna, 575 Montgomery Avenue, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 1995, and until his successor is appointed and qualified.

ROBERT P. CASEY  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WESTERN CENTER

May 10, 1993

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, Katherine B. Emery, 112 Belmont Avenue, Canonsburg 15317, 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 Selina S. Roth, Pittsburgh, whose term expired.

ROBERT P. CASEY  
Governor

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MAY 11, 1993

- |            |  |                                       |
|------------|--|---------------------------------------|
| 10:00 A.M. | EDUCATION (to consider Senate Bill No. 880 and House Bills No. 438, 463 and 464)   | Room 461<br>4th Floor<br>North Wing   |
| 10:00 A.M. | JUDICIARY (to consider Senate Bills No. 308, 309, 715, 717, 740 and 1026 and the nomination of Robert C. Watson, Allegheny County Judge Court of Common Pleas)                   | Room 8E-B<br>Hearing Rm.<br>East Wing |
| 10:30 A.M. | TRANSPORTATION (to consider Senate Bills No. 11, 314, 320, 348, 395, 427, 429, 470, 965 and 970; House Bills No. 461, 576, 878 and 986)  | Room 8E-A<br>Hearing Rm.<br>East Wing |
| 11:00 A.M. | BANKING AND INSURANCE (to consider Senate Bills No. 926, 1014, 1015 and 1016)  | Senate Maj.<br>Caucus Rm.             |
| 11:30 A.M. | LOCAL GOVERNMENT (to consider Senate Bills No. 4, 818, 820, 822, 827, 829, 836, 838, 845, 1066 and House Bills No. 489, 853 and any other business to come before the Committee) | Room 8E-B<br>Hearing Rm.<br>East Wing |
| 11:30 A.M. | PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 1052 and 1079)   | Room 14-E<br>Hearing Rm.<br>East Wing |
| 11:30 A.M. | URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 607)  | Room 461<br>4th Floor<br>North Wing   |
| 11:45 A.M. | FINANCE (to consider Senate Bill No. 182)  | Room 8E-A<br>Hearing Rm.<br>East Wing |

WEDNESDAY, MAY 12, 1993

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| 9:00 A.M. | FINANCE (to consider Senate Bill No. 182) | Room 8E-B<br>Hearing Rm.<br>East Wing |
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MONDAY, MAY 17, 1993

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| 9:30 A.M. | PUBLIC HEALTH AND WELFARE (to consider minorities and managed care) | Temple Univ.<br>13th &<br>Cecil B.<br>Moore Ave.<br>Phila, PA |
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WEDNESDAY, MAY 26, 1993

- |           |  |                                       |
|-----------|--|---------------------------------------|
| 9:30 A.M. | PUBLIC HEALTH AND WELFARE (to consider managed care and mental health) | Room 8E-A<br>Hearing Rm.<br>East Wing |
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**ADJOURNMENT**

Senator BODACK. Mr. President, I move that the Senate do now adjourn until Tuesday, May 11, 1993, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 5:55 p.m., Eastern Daylight Saving Time.