

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 6, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 35

SENATE

TUESDAY, June 6, 1995

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend ALFRED ACTON, of the Academy of the New Church College, Bryn Athyn, offered the following prayer:

Let us pray.

O Lord God, the Almighty and Everlasting Creator, we pray today for Your presence in this assembly. Grant those gathered here the wisdom to serve the people of this Commonwealth and so to promote the common good. By Your presence with each individual, a consensus for good can be achieved. Although many various constituencies are represented, we pray that this variety can blend in a harmony that will enact legislation looking beyond the selfish and the petty to the lasting benefit of all our citizens. We pray that we, each in our own fashion, will respect the opinions of others, even as we work to express our own. Let the united voice of the people as expressed by this legislature reflect its variety, even as a crown with many jewels becomes more perfect in its diversity.

Those present here have been given the privilege to serve. Grant them Your guidance as they undertake their responsibilities. Civil law provides a framework for order, a framework for the protection of individuals in this State from their own selfish whims and those of others. Furthermore, this Commonwealth is to its citizens as parents are to their children. The helpless need their concerned care, while the mature need the freedom to use their God-given talents to the best of their abilities.

We pray for Your guidance in promoting the welfare of both of these constituencies. Trust in Your guidance should not be blind. We know Your work is undertaken by those who seek to perform it. People looking to Your goals, each in their own fashion, bring about the good You seek. This good looks to what is eternal, what is lasting, what will have benefit for generations to come. We thank you, Lord God Almighty, for granting us the ability to share in your work.

And now may the Lord be with you all. Amen.

The PRESIDENT. The Chair thanks Reverend Acton, who is the guest today of Senator Greenleaf.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 5, 1995.

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

GENERAL COMMUNICATION

**1994 ACTUARIAL EVALUATION FINANCIAL
OPERATIONS OF THE PENNSYLVANIA
UNEMPLOYMENT COMPENSATION PROGRAM**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Labor and Industry
Harrisburg, Pennsylvania 17120

May 31, 1995

Honorable Mark R. Corrigan
Secretary-Parliamentarian
Senate of Pennsylvania
Senate Post Office
Harrisburg, PA 17120

Dear Mr. Corrigan:

As required by the Unemployment Compensation Law, enclosed you will find a copy of the "1994 Actuarial Evaluation Financial Operations of the Pennsylvania Unemployment Compensation Program" publication. The report summarizes the unemployment compensation activity for 1994 and provides an outlook for 1995 through 1997. Highlights of the report are provided on the second page.

I have also enclosed a related press release which highlights the improved solvency of the Unemployment Compensation Trust Fund. I hope you will find this information useful and informative.

This report is based upon projections by the Wharton Econometric Forecasting Associates.

If you have any questions regarding this report, please feel free to contact the Office of Legislative Affairs at 787-5087.

Sincerely,

JOHNNY J. BUTLER
Secretary

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

REPORTS FROM COMMITTEES

Senator HART, from the Committee on Finance, reported the following bills:

SB 633 (Pr. No. 657)

An Act amending the act of May 29, 1956 (1955 P. L. 1804, No. 600), entitled "Municipal Police Pension Law," providing for the establishment of police pension funds or pension annuities by regional police departments; further providing for employment of an actuary and for payments by the State Treasurer, and making editorial changes.

SB 651 (Pr. No. 683)

An Act amending the act of June 27, 1947 (P. L. 1046, No. 447), entitled "State Tax Equalization Board Law," further providing for the determination of market value of taxable real property.

SB 996 (Pr. No. 1193) (Amended)

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), entitled "Second Class County Assessment Law," providing for reduction of tax rates in certain cases.

SB 1037 (Pr. No. 1140)

An Act providing for limits on real property assessments on counties of the first class.

HB 1488 (Pr. No. 1737)

An Act amending the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law, further providing for a variable rate of taxation on the value of personal property.

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

HB 2 (Pr. No. 1519)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for a job training program and establishing a timetable for implementation; providing for pension funds of recipients; providing tax credits to employers of public assistance recipients; further providing for uniformity in administration of assistance, for a workfare program, for applications for assistance, for eligibility and for aid to families with dependent children; providing for an electronic benefit distribution system; imposing a penalty for failure to appear at a criminal court proceeding; and providing for powers and duties of the Department of Public Welfare, for retesting and for protective custody of AFDC children for a publicly financed voucher program to provide access to privately delivered health insurance coverage.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a legislative leave for Senator Afflerbach, and temporary Capitol leaves for Senator Hughes and Senator Porterfield.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Hughes and Senator Porterfield, and a

legislative leave for Senator Afflerbach. Without objection, those leaves will be granted.

CALENDAR

SB 858 CALLED UP OUT OF ORDER

SB 858 (Pr. No. 1135) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 858 (Pr. No. 1135) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for adoption of capital projects to be financed from current revenues of the Keystone Recreation, Park and Conservation Fund.

On the question,

Will the Senate agree to the bill on third consideration?

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

Senator FUMO. Mr. President, we discussed this bill in the meeting of the Committee on Appropriations. For the benefit of the Members, this is the SWAM bill, S-W-A-M bill.

Mr. President, we have a Governor who is, to put it kindly, a hypocrite who says to the General Assembly that WAMs are evil, that you cannot have WAMs, you should not be putting this money into your districts, and hates the process because it is discretionary, and yet we have before us a bill which gives the administration the ability to do all those, quote, "evil things," end of quote, that the Governor says the legislature should not do.

Mr. President, I refer the Members to the notes of testimony of the Committee on Appropriations hearing before the gentleman from Montgomery, Senator Tilghman, and myself on April 4, 1995, when Secretary Seif and Mr. Solano, the Deputy Secretary of DER, appeared before us, and I would like to read into the record some of the interrogation on behalf of the gentleman from Montgomery, Senator Holl, and myself. On page 43 it begins:

SENATOR HOLL: Are these items listed in the budget anywhere as a line item?

MR. SOLANO: Those items are not listed in the budget.

SENATOR HOLL: In other words, they're purely a departmental decision --

MR. SOLANO: That's correct.

SENATOR HOLL: -- by people here in Harrisburg? How do they compare to WAMs? It sounds like Solano WAMs, Governor's WAMs.

MR. SOLANO: Senator, when I evaluate these, they're WAMs of a sort.

SENATOR HOLL. Thank you, Mr. Chairman.

Then we go on, and on page 61 of the notes I began my interrogation:

SENATOR FUMO: One last area of questions, if I may. We were talking before with the Solano's WAMs, Key 93 grants. When you provide that list to Senator Tilghman are you going to provide him the whole list, Pat?

MR. SOLANO: Yes.

SENATOR FUMO: We have no problem with you having WAMs, we have no problem with that.

MR. SEIF: They're called SWAMs.

SENATOR FUMO: That was our problem, we didn't mean to name these things WAMs, if they were something else they'd be all right, but I just want to explore this area a little bit because the government [sic] seems to be so adamant against the WAM process, although it's ill-defined in his mind.

Also in your document on page 5 it talks about grants provided through the federal land and water conservation fund program. Are they handled in a similar fashion? Pat, maybe you can tell us how it is divvied up.

MR. SOLANO: Our land and water fund, Senator, is down to where I think we're only getting 400,000.

SENATOR FUMO: Some senators would consider that a nice size WAM.

MR. SOLANO: WAMs, most of the projects we do with those relate to those that we have. We have projects in a preferential order of need, a lot of them in the sewage treatment.

SENATOR FUMO: Who determines the preferential order of need?

MR. SOLANO: We go over the program, it comes from the program people, and I have to approve it.

SENATOR FUMO: So you approve —

MR. SOLANO: That's before the secretary gets it.

SENATOR FUMO: So it's similar to a Senator determining his priority needs in his district, you do it statewide.

MR. SOLANO: Now and then I get a request from a Senator that I look at more heavily.

SENATOR FUMO: Okay, I just want to get this straight, if you could provide us with all those types of internal decisions that are made and the criteria, for example, the trails money, where you just said you got, I think you said 1.2 million in requests for 800,000 dollars.

MR. SOLANO: That's correct.

SENATOR FUMO: That means that somebody is going to have to make a decision about who gets the 800,000 and there's going to be some disappointed 400,000 worth of disappointed projects. How is that done in your shop?

MR. SOLANO: What we did in this, we're working with the local communities on this to where we have a guideline that we use in establishing the priority nature of it based on the beneficial use of where it connects from one place to another or where it connects with an enterprise or where it connects with another state park.

Mr. President, it goes on and on, and basically the bottom line is that these are Governor's WAMs. Mr. President, I have no objection to the legislative initiative process. I do have an objection to the hypocrisy of Governor Ridge, on the one hand saying he does not like discretionary spending, but on the other hand stating that it is a wonderful program if he is the one who gets to do the discretionary spending.

Mr. President, more troubling to me is the fact that at this very moment Deputy Secretary Solano has been instructed by the front office to begin lobbying legislators and Senators for the Governor's choice program. Now, when we have an individual who is in charge of this much money in a discretionary fashion calling Members about educational choice, which is the Governor's pet project, and therefore, through innuendo, using

a blackmail and extortion process, this is what the Governor calls good government?

POINT OF ORDER

Senator LOEPER. Mr. President, point of order.

The PRESIDENT. The gentleman from Delaware, Senator Loeper, will state his point.

Senator LOEPER. Mr. President, I believe that the debate has gone far afield, and to refer to actions of the Governor or any of his employees as blackmail I think is totally out of bounds, and I would ask the Chair to rule it out of order.

Senator FUMO. Mr. President.

The PRESIDENT. I would remind Senator Fumo that he will confine his remarks to the topic at hand.

Senator FUMO. Mr. President, by authorizing and voting for this bill today, we put into the hands of the Governor a vast amount of money at his discretion. And the person who is making those discretionary decisions has been instructed by that front office to call the General Assembly on a legislative issue that is important to the Governor that will shortly be before this General Assembly. Maybe blackmail is a word that offends the other side, so I will not use it, but I will give you the scenario that is going on. This Governor has the audacity to say to Members of this General Assembly that what we did in previous years with legislative initiative grants was immoral, it was wrong, it should not be repeated again, and yet he takes the process and refines it to a new height. That, Mr. President, is appalling.

I know that this Governor came here and said he was for change, but I think the people of Pennsylvania thought that change was to be a positive one and not a negative one. He has taken the art of politics far beyond Tammany Hall and given it new definition. He is a politician's politician, a hack's hack, and this is just another vehicle for him to--

POINT OF ORDER

Senator LOEPER. Mr. President, point of order.

The PRESIDENT. Senator Fumo, please confine your remarks to the topic at hand.

Senator FUMO. Then if we are going to give him this vehicle to do this with, we should understand clearly what we are doing. We are only giving him more ammunition to come back and use it against us when we attempt to exercise our honest discretion in voting on various issues, particularly the issue of school choice.

Mr. President, I recognize there are many Members who need the projects in here, and I will not ask for a negative vote on this bill because of that fact. It is just a shame that we have to witness this type of, and I do not know what else to call it besides blackmail, so I will just say this type of "blank" and you fill in the word, in State government. Mr. President, I think it is another sad day in Pennsylvania, and regrettably, with this Governor, those sad days are coming on a very disturbing, regular basis.

Thank you, Mr. President.

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

Senator LOEPER. Mr. President, I think the Members are well aware that the bill before them deals with the appropriation or authorization of capital money for 12 different State Parks throughout the Commonwealth of Pennsylvania. It is money that is appropriated from the Keystone Park and Recreation Fund, or Key 93, that would be matched by Federal dollars to give much needed improvements to many of these State Parks that have long needed some additional funding in order to complete their capital projects.

As I stated earlier, I think the previous speaker was totally out of line as far as his remarks about the motivations of the Governor and this administration. Mr. President, this is no different than many capital funding bills that we have for authorization before this Senate, and I would ask for an affirmative vote.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

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

On the question,
Shall the bill pass finally?

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

YEAS—49

Afflerbach	Greenleaf	Madigan	Shaffer
Andrezeski	Hart	Mellow	Shumaker
Armstrong	Heckler	Mowery	Stapleton
Baker	Helfrick	Musto	Stewart
Belan	Holl	O'Pake	Stout
Bell	Hughes	Peterson	Tartaglione
Bodack	Jones	Porterfield	Tilghman
Brightbill	Jubelirer	Punt	Tomlinson
Corman	Kasunic	Rhoades	Uliana
Dawida	LaValle	Robbins	Wagner
Delp	Leimond	Salvatore	Wenger
Fisher	Loeper	Schwartz	Williams
Gerlach			

NAYS—1

Fumo

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

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

RECESS

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

Senator LOEPER. Mr. President, at this time I would ask for a recess of the Senate for the purpose of a Republican caucus to begin immediately in the first floor caucus room,

with an expectation of returning to the floor at approximately 3:15.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I would also like the Democratic Members to report immediately to our caucus room at the rear of the Chamber.

The PRESIDENT. Senator Loeper requests a meeting of the Republican caucus to be conducted in the first floor caucus room to begin immediately following our exit from this Chamber, with the intention of returning at approximately 3:15 p.m.

Senator Mellow requests a meeting of the Democratic caucus to begin immediately following departure at their caucus room at the rear of the Senate.

For those purposes, the Senate stands in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

SB 19 CALLED UP OUT OF ORDER

SB 19 (Pr. No. 1176) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator FISHER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 19 (Pr. No. 1176) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for proof of financial responsibility following an accident; and making an accident reportable if a driver is unable to provide financial responsibility information.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Dawida, Senator Fumo, Senator Musto, and Senator Tartaglione, and a legislative leave for Senator Williams.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Dawida, Senator Fumo, Senator Musto, and Senator Tartaglione, and a legislative leave for Senator Williams. Without objection, those leaves will be granted.

The Chair recognizes the gentleman from Allegheny, Senator Fisher.

Senator FISHER. Mr. President, I request temporary Capitol leaves for Senator Helfrick and Senator Loeper.

The PRESIDENT. Senator Fisher requests temporary Capitol leaves for Senator Helfrick and Senator Loeper. Without objection, those leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The record shall reflect the return of Senator Porterfield, and his temporary Capitol leave is hereby cancelled.

And the question recurring,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

COMMUNICATIONS FROM THE GOVERNOR
TAKEN FROM THE TABLE

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

DISTRICT JUSTICE

May 24, 1995

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 8, 1995 for the appointment of Lindsay S. Mark, Gateway Towers, Apartment 15F, Pittsburgh 15222, Allegheny County, Thirty-eighth Senatorial District, as District Justice, in and for the County of Allegheny, Magisterial District 5-2-28, to serve until the first Monday of January 1996, vice Jacob H. Williams, mandatory retirement.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 23, 1995

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 17, 1995 for the appointment of James A. Schneider, Esquire, 439 West Broad Street, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, as District Justice, in and for the County of Luzerne, Magisterial District 11-1-03, to serve until the first Monday of January 1996, vice Michael T. Conahan, Esquire, resigned.

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

THOMAS J. RIDGE
Governor

JUSTICE, SUPREME COURT OF
PENNSYLVANIA

May 23, 1995

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 10, 1995 for the appointment of D. Donald Jamieson, Esquire, 1250 Greenwood Avenue, Apartment 701, Jenkintown 19046, Montgomery County, Twelfth Senatorial District, as Justice of the Supreme Court of Pennsylvania, to serve until the first Monday of January 1996, vice The Honorable Nicholas P. Papadakos, mandatory retirement.

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

THOMAS J. RIDGE
Governor

TREASURER, WASHINGTON COUNTY

June 1, 1995

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 15, 1995 for the appointment of Edward M. Paluso, 401 Sixth Street, Charleroi 15022, Washington County, Thirty-second Senatorial District, as Treasurer, in and for the County of Washington, to serve until the first Monday of January 1996, vice John F. Yoney, deceased.

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

THOMAS J. RIDGE
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

The PRESIDENT. The nominations will be returned to the Governor.

EXECUTIVE NOMINATIONS**EXECUTIVE SESSION**

Motion was made by Senator SALVATORE,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

April 11, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James Rue (Alternate Member), 516 North Church Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Catherine W. Cowan, Gettysburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE ATHLETIC
COMMISSION**

March 21, 1995

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, George Bochetto, Esquire, 1420 Locust Street, Unit 6-A, Philadelphia 19102, Philadelphia County, First Senatorial District, for appointment as a member of the State Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified, vice Howard E. McCall, Philadelphia, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE CIVIL
SERVICE COMMISSION**

April 17, 1995

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, Norma J. Gotwalt, 20 Round Hill Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2000 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Charles Sciotto, New Cumberland, declined appointment.

THOMAS J. RIDGE
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES
OF EDINBORO UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION**

April 4, 1995

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, Susan H. Hagen, 5727 Grubb Road, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES
OF EDINBORO UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION**

April 13, 1995

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, Benedict J. Miceli, 951 Grove Street, Meadville 16335, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice The Honorable Robert Kusse, Warren, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER**

April 13, 1995

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, Ernest Heckman, R. D. #3, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Sheila J. Slimmer, Orwigsburg, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE HARNESS
RACING COMMISSION

April 17, 1995

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, C. Edward Rogers, Jr., 200 Westview Drive, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James B. Eckenrode, Jr., Pittsburgh, deceased.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAVERFORD STATE HOSPITAL

April 13, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark Dambly, 354 Darlington Road, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Trustees of Haverford State Hospital, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Sandra S. Cornelius, Ph.D., resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 17, 1995

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, Hon. Sally Klein, 4720 Holly Circle, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Daniel J. Milliron, Esquire, Altoona, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA HISTORICAL
AND MUSEUM COMMISSION

April 28, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John W. Lawrence, M.D., 430 Riverview Road, Swarthmore 19081, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 1999 and until his successor is appointed and qualified, vice Frank S. Beal, Pittsburgh, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE HORSE
RACING COMMISSION

April 17, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles R. Ord, 1482 Clover Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Russell B. Jones, Jr., West Grove, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 13, 1995

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, Marla W. Davis (Public Member), 7587 McGill Road, Harborcreek 16421, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lois M. Quay, South Williamsport, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY

March 30, 1995

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 P. Zemprelli, Esquire, 1244 Bickerton Drive, Clairton 15025, Allegheny County, Forty-fifth Senatorial District, for reappointment as a member of the Board of

Trustees of The Pennsylvania State University, to serve until July 1, 1996 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PHARMACY

April 4, 1995

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, Jeffrey T. Haste (Public Member), 4621 Laurel Ridge Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice John J. Urban, Munhall, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

March 30, 1995

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, Ronald D. Goetsch, 1518 Evans Avenue, Prospect Park 19076-1112, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Theresa A. Lipp, Macungie, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE ADVISORY COMMITTEE
ON PROBATION

April 13, 1995

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 Wooley, 4218 Orchard Hill Road, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Daniel B. Michie, Jr., Esquire, Meadowbrook, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF THADDEUS STEVENS STATE SCHOOL
OF TECHNOLOGY

April 17, 1995

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 S. Hoover, 460 Wetherburn Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens State School of Technology, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Carole J. Hale, Lancaster, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE UNEMPLOYMENT
COMPENSATION BOARD OF REVIEW

April 17, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William A. Hawkins, 220 Pine Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Unemployment Compensation Board of Review, to serve until July 1, 1999 and until his successor is appointed and qualified, vice Dale Groman, Bethlehem, deceased.

THOMAS J. RIDGE
Governor

MEMBER OF THE ARMSTRONG COUNTY
BOARD OF ASSISTANCE

April 13, 1995

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, Alexander I. Callas (Republican), R. D. #8, Kittanning 16201, Armstrong County, Forty-first Senatorial District, for appointment as a member of the Armstrong County Board of Assistance, to serve until December 31, 1997, and until his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE BEDFORD COUNTY
BOARD OF ASSISTANCE

April 17, 1995

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, LuAnne Hite Shircliffe (Republican), R. D. #1, Box 150-B, Hyndman 15545, Bedford County, Thirtieth Senatorial District, for appointment as a member of the Bedford

County Board of Assistance, to serve until December 31, 1997, and until her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE LEBANON COUNTY
BOARD OF ASSISTANCE

April 17, 1995

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, Norma Pantelich (Republican), 250 South 22nd Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Lebanon County Board of Assistance, to serve until December 31, 1997, and until her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE LYCOMING COUNTY
BOARD OF ASSISTANCE

April 17, 1995

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, Steven John Moff, Esquire (Republican), 1822 Lafayette Parkway, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Lycoming County Board of Assistance, to serve until December 31, 1997, and until his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE SNYDER COUNTY
BOARD OF ASSISTANCE

April 13, 1995

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, Judy Jones (Democrat), 50 Wedgewood Gardens, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Snyder County Board of Assistance, to serve until December 31, 1997, and until her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

April 13, 1995

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, Raymond Minium, Sr. (Republi-

can), 622 Market Street, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1997, and until his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE WYOMING COUNTY
BOARD OF ASSISTANCE

April 13, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Helen Dewer (Republican), R. R. #7, Box 115, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for appointment as a member of the Wyoming County Board of Assistance, to serve until December 31, 1997, and until her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE WYOMING COUNTY
BOARD OF ASSISTANCE

April 13, 1995

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, Grace Lundy (Republican), R. R. #1, Box 212, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for appointment as a member of the Wyoming County Board of Assistance, to serve until December 31, 1997, and until her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

On the question,

Will the Senate advise and consent to the nominations?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uhiana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator SALVATORE. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Porterfield, who has been called to his office.

The PRESIDENT. Senator Mellow requests a temporary Capitol leave for Senator Porterfield. Without objection, that leave will be granted.

The Chair recognizes the gentleman from Allegheny, Senator Fisher.

Senator FISHER. Mr. President, I request temporary Capitol leaves for Senator Tomlinson and Senator Salvatore.

The PRESIDENT. Senator Fisher requests temporary Capitol leaves for Senator Tomlinson and Senator Salvatore. Without objection, those leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

Senator MELLOW. Mr. President, I would also like to acknowledge the fact that Senator Afflerbach is back from his leave, and I request that his legislative leave be cancelled.

The PRESIDENT. The legislative leave of Senator Afflerbach is hereby cancelled.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 245 (Pr. No. 1149) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the maximum speed limit on certain interstate and other highways.

Senator FISHER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 245.

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

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

YEAS—42

Andrezeski	Gerlach	Mellow	Shaffer
Armstrong	Greenleaf	Mowery	Stapleton
Baker	Hart	Musto	Stewart
Bell	Heckler	Peterson	Stout

Bodack	Holl	Porterfield	Tartaglione
Brightbill	Hughes	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—8

Afflerbach	Helfrick	Madigan	Shumaker
Belan	Jones	O'Pake	Tilghman

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair notes the presence on the floor of Senator Hughes. His temporary Capitol leave is hereby cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 80 (Pr. No. 1177) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," requiring insurance companies to notify the Department of Transportation upon the lapse or cancellation of liability insurance held by an official vehicle inspection station.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

SB 432 (Pr. No. 997) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for mediation in divorce and custody matters.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

SB 452 (Pr. No. 1178) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for resident license and fee exemptions.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton

Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

SB 453 (Pr. No. 1179) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for free resident fishing licenses to former prisoners of war.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

BILLS ON THIRD CONSIDERATION AMENDED

SB 468 (Pr. No. 487) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for improper use of criminal investigative material.

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

Senator BRIGHTBILL, on behalf of himself and Senator MELLOW, offered the following amendment No. A3041:

Amend Sec. 1 (Sec. 4501), page 1, line 18, by striking out "sentence is imposed." and inserting: any of the following occur:

- (1) Sentence is imposed.
- (2) The defendant is acquitted.
- (3) The trial is otherwise finally resolved. This paragraph includes dismissal of charges, acceptance of a plea bargain or the declaration of a mistrial in a situation which would give rise to double jeopardy.

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

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, Senate Bill No. 468 deals with statements made and information provided for compensation by prosecuting officers during the course of an investigation. The facts that come out of this deal with the Susan Reinert homicide case and an individual named Dr. Jay C. Smith who was charged with that. Since then he has filed a civil rights action against an author by the name of Wambaugh.

I would like to just read into the record, for the Members' appreciation, a portion of a memorandum opinion that was handed down on May 15 by the Federal court having to do with this matter. Smith alleged in his complaint that Troopers Holtz and Van Nort were the primary investigators assigned to investigate the Reinert murder, which occurred in July 1979. Smith alleges that in correspondence or a letter dated January 29, 1981, Wambaugh promised to pay Van Nort an additional \$45,000, saying, "This [case] is current and hot which is why I'm offering you this kind of money."

The opinion recites that the correspondence also provides that Wambaugh wrote, "During this period of time you would reveal to me everything you know about the case and supply me with any documents which might help me." And then the opinion alleges that on June 19, 1981, Van Nort told Wambaugh by correspondence, "Things are going well, here, but slow. I will keep in touch with you."

I would call to the Members' attention that this kind of money, \$45,000, which is a lot of money, was offered in 1981. It is now 1995, and I think that this practice of having authors and TV writers and those kinds of people pay for information is one that really has the great potential of affecting our criminal justice system.

I thank the Members for their support in the past, and I would hope that we can pass this bill in the near future.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

The PRESIDENT. Without objection, Senate Bill No. 468 will go over in its order as amended.

SB 653 (Pr. No. 1060) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for wrongful death actions and for exceptions to governmental immunity.

On the question,
Will the Senate agree to the bill on third consideration?
Senator HECKLER offered the following amendment No. A2757:

Amend Sec. 1 (Sec. 8301), page 2, line 2, by inserting after "LIFETIME": and any prior actions for the same injuries are consolidated with the wrongful death claim so as to avoid a duplicate recovery

On the question,
Will the Senate agree to the amendment?
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator FISHER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 654 (Pr. No. 686) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 2, 1966 (1965 P. L. 1860, No. 586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for definitions.

Considered the third time and agreed to,
On the question,
Shall the bill pass finally?

Senator CORMAN. Mr. President, in 1966 the General Assembly passed into law the Recreational Use of Land and Water Act to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability. The act was to protect the landowner, either private or public, from liability and negligence for injuries arising out of the free recreational use of land and water. Landowners are still liable for willful or malicious failure to guard or warrant against dangerous conditions. This protection was a major factor in leading many landowners to permit free public hunting, hiking, fishing, boating, or other recreational pursuits on their property.

Subsequent to the act's passage in 1966, several Supreme Court cases have narrowed the scope of the act, allowing that improvements to these recreational lands were not protected under the act. This uncertain state of law has discouraged landowners and clubs and other organizations from undertaking projects for better access for persons with disabilities. Such projects may include special hunting areas, parking facilities near boating, fishing, or hunting areas, trails, wheelchair ramps, other special fishing piers and boat docks, just to name a few.

The language in the bill we are about to consider, Senate Bill No. 654, clearly provides protection for these most important land improvements that will allow all Pennsylvanians to

enjoy the bountiful recreational opportunities that our State provides now and, under the protection of this bill, will continue to develop in the future.

Thank you very much, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

BILLS OVER IN ORDER

SB 665, SB 666 and SB 667 -- Without objection, the bills were passed over in their order at the request of Senator FISHER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 800 (Pr. No. 1005) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for prohibiting use of hearing impairment devices, for fines for reckless driving and for permit for movement during course of manufacture.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart

Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

SB 832 (Pr. No. 882) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring residential mortgage lenders to give mortgage debtors credit for discounts received for early payment of certain taxes; and imposing a penalty.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezeski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

HB 861 (Pr. No. 1950) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1929 (P.L.1798, No.591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth; providing for an annual charge for tax-exempt lands; and further providing for timber, wood products and gas and oil ground rentals and royalties.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEAS—50

Afflerbach	Gerlach	Madigan	Shaffer
Andrezski	Greenleaf	Mellow	Shumaker
Armstrong	Hart	Mowery	Stapleton
Baker	Heckler	Musto	Stewart
Belan	Helfrick	O'Pake	Stout
Bell	Holl	Peterson	Tartaglione
Bodack	Hughes	Porterfield	Tilghman
Brightbill	Jones	Punt	Tomlinson
Corman	Jubelirer	Rhoades	Uliana
Dawida	Kasunic	Robbins	Wagner
Delp	LaValle	Salvatore	Wenger
Fisher	Lemmond	Schwartz	Williams
Fumo	Loeper		

NAYS—0

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Musto has returned from temporary Capitol leave, and his leave will be cancelled.

The Chair adds that Senator Tartaglione has returned, so her leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 355 — Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 775 (Pr. No. 1192) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, revising and updating the fishing license and issuing agent fee structure; further providing for funding of free fishing licenses; and making editorial changes.

Considered the second time and agreed to,

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

NONPREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION AND REREFERRED

SB 815 (Pr. No. 864) — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Museum of Scientific Discovery in Harrisburg.

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

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

BILL OVER IN ORDER

SB 8 — Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 38 (Pr. No. 2016) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," prohibiting possession of weapons; and providing for safe schools.

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

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

BILL ON SECOND CONSIDERATION

SB 238 (Pr. No. 244) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 3, 1986 (P. L. 388, No. 84), entitled "Sunshine Act," further providing for executive sessions.

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

BILL ON SECOND CONSIDERATION AMENDED

HB 247 (Pr. No. 1978) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of neglect of care-dependent person; and further prohibiting prostitution.

On the question,

Will the Senate agree to the bill on second consideration?
Senator FISHER, on behalf of Senator LOEPER, offered the following amendment No. A2801:

Amend Title, page 1, line 3, by inserting after "person;": further providing for insurance fraud;

Amend Bill, page 4, by inserting between lines 25 and 26: Section 2. Section 4117(k)(2) of Title 18 is repealed.

3 Amend Sec. 2, page 4, line 26, by striking out "2" and inserting:
 4 Amend Sec. 3, page 6, line 1, by striking out "3" and inserting:

On the question,
 Will the Senate agree to the amendment?
 It was agreed to.
 Without objection, the bill, as amended, was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

SB 273 (Pr. No. 280) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 23, 1988 (P. L. 1059, No. 122), entitled "An act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges;....,'" further providing for a conveyance of land to the Kirwan Heights Volunteer Fire Department located in Collier Township, Allegheny County.

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

BILL OVER IN ORDER

SB 290 -- Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

HB 293 (Pr. No. 410) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for the mailing of tax notices.

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

BILLS OVER IN ORDER

SB 316, SB 414 and SB 475 -- Without objection, the bills were passed over in their order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION AMENDED

HB 511 (Pr. No. 1796) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the registration, fees and inspection of farm vehicles and for surrender of license.

On the question,
 Will the Senate agree to the bill on second consideration?
 Senator ROBBINS offered the following amendment No. A2638:

Amend Title, page 1, lines 2 and 3, by striking out "the registration, fees and" in line 2, all of line 3 and inserting: definitions, for vehicles exempt from registration, for multipurpose dealer registration plates and for surrender of license; providing for property valuation services; and further providing for farm vehicles, for periodic inspection of vehicles and for operation of vehicles without inspection certificates.

Amend Bill, page 1, lines 6 through 8, by striking out all of said lines and inserting:

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.
 Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:
 * * *

"Second-stage manufacturer." A person engaged in performing manufacturing operations on an incomplete vehicle produced by a manufacturer.
 * * *

Section 2. Sections 1302(10), 1336.1 and 1540(b) of Title 75 are amended to read:

Amend Bill, page 3, line 21, by striking out all of said line and inserting

§ 1336.1. Use of multipurpose dealer registration plates.

(a) General rule.—Subject to the requirement that the vehicles on which multipurpose dealer registration plates are used, conform to or are lower than the weight limits for which the plates were purchased, the multipurpose dealer registration plates may be used on vehicles owned by or in possession of a dealer or manufacturer. All vehicles utilizing the multipurpose dealer registration plate shall be titled in the name of the business or family member, and sales and use tax must be paid.

(b) Exception for second-stage manufacturers.—A title in the name of the business or family member and payment of sales and use tax are not required for a vehicle which has never been titled as long as the vehicle:

- (1) is in possession of a second-stage manufacturer and is being transported from a dealer or distributor for completion or delivered to a dealer or distributor upon completion; or
- (2) is owned or in possession of a dealer and is being delivered to the second-stage manufacturer for completion or is being transported back to the dealer upon completion.

On the question,
 Will the Senate agree to the amendment?
 It was agreed to.
 Without objection, the bill, as amended, was passed over in its order at the request of Senator FISHER.

BILL OVER IN ORDER

SB 598 -- Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

SB 652 (Pr. No. 684) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled "Second Class County Code," providing for the collection of taxes on real property from rent payable by tenants; further providing for the collection of tax and municipal claims by suit and for the interest rate on contributions when a person is separated from service; providing for the purchase of credit for service immediately following

original employment; further providing for eligibility for retirement allowances and for requirements for credit for previous service; providing for deputy fire marshals; and making a repeal.

Considered the second time and agreed to,

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

BILL RECOMMITTED

SB 689 (Pr. No. 723) — The Senate proceeded to consideration of the bill entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to local government; and making repeals.

Upon motion of Senator FISHER, and agreed to, the bill was recommitted to the Committee on Local Government.

BILLS OVER IN ORDER

HB 701, HB 710, and HB 714 — Without objection, the bills were passed over in their order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

SB 776 (Pr. No. 819) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 15, 1957 (P. L. 901, No. 399), entitled "Optional Third Class City Charter Law," further providing for the filling of vacancies in council and office of mayor.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 790 — Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILLS ON SECOND CONSIDERATION

SB 791 (Pr. No. 834) — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey tracts of land situate in East Brandywine Township, Chester County, Pennsylvania, to the Downingtown Industrial and Agricultural School.

Considered the second time and agreed to,

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

HB 825 (Pr. No. 1655) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for definitions, for aboveground storage tank, for underground storage tank program requirements, for interim requirements and discontinued use, for registration, for the storage tank advisory committee, for the Underground Storage Tank Indemnification Fund and claims on that fund, for the Storage Tank Loan Fund and for powers

and duties of the Underground Storage Tank Indemnification Board; and providing for the dispensing of Class II motor fuels to certain customers and for reimbursement for testing.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 844 — Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

SB 998 (Pr. No. 1097) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, further providing for attendance at meetings.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 1032 — Without objection, the bill was passed over in its order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1074 (Pr. No. 1190) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 30, 1983 (P. L. 160, No. 39), entitled "Public Official Compensation Law," further providing for compensation of the members of the Environmental Hearing Board.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

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

BILLS OVER IN ORDER

HB 1076, HB 1085 and HB 1086 — Without objection, the bills were passed over in their order at the request of Senator FISHER.

BILL ON SECOND CONSIDERATION

HB 1095 (Pr. No. 1220) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for the return of contributions.

Considered the second time and agreed to,

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

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

The SECRETARY. Consent has been given for the Committee on Appropriations to meet imminently in the Rules room to consider Regular Session Senate Bill No. 1074, House Bills No. 38 and 39, and Special Session Senate Bills No. 96, 98, and 99.

RECESS

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

Senator FISHER. Mr. President, I request a short recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Appropriations to begin immediately in the Rules room.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, the Senate will stand in recess.

AFTER RECESS

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

**UNFINISHED BUSINESS
REPORTS FROM COMMITTEES**

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

SB 461 (Pr. No. 1196) (Amended)

An Act providing for Lyme disease education, prevention and treatment; and making appropriations.

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

SB 1074 (Pr. No. 1190) (Rereported)

An Act amending the act of September 30, 1983 (P. L. 160, No. 39), entitled "Public Official Compensation Law," further providing for compensation of the members of the Environmental Hearing Board.

HB 38 (Pr. No. 2016) (Rereported)

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," prohibiting possession of weapons; and providing for safe schools.

HB 39 (Pr. No. 1794) (Rereported)

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the Tax Reform Code of 1971, further providing for the taxation of annuity considerations; and providing for a limited tax amnesty program.

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

SB 1009 (Pr. No. 1198) (Amended)

An Act amending the act of December 19, 1990 (P. L. 799, No. 193), entitled "County Intermediate Punishment Act," changing defini-

tions; further providing for county intermediate punishment programs; providing for advice to county prison boards; further providing for county intermediate punishment plans and for regulations of the Pennsylvania Commission on Crime and Delinquency; and further providing for use of funds, for application of the act to certain grants and for construction of the act.

SB 1052 (Pr. No. 1163)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for criminal victim aid good Samaritan civil immunity.

HB 578 (Pr. No. 2044) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for involuntary manslaughter and for endangering the welfare of children.

Senator CORMAN, from the Committee on Transportation, reported the following bills:

SB 140 (Pr. No. 141)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for accidents involving death or personal injury.

SB 684 (Pr. No. 1194) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for maximum speed limits.

SB 873 (Pr. No. 923)

An Act designating a section of Route 19 in Erie County, Pennsylvania, as the General Strong Vincent Memorial Highway.

SB 982 (Pr. No. 1195) (Amended)

An Act amending the act of March 4, 1971 (P. L. 6, No. 2) entitled "Tax Reform Code of 1971," further providing for imposition of tax and for the credit against gross receipts tax for certain expenditures by railroad companies.

HB 48 (Pr. No. 2023) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "pedalcycles"; further providing for the operation of pedalcycles on Commonwealth highways, for pedalcycle helmets, for the use of hearing impairment devices and for hand and arm signals; repealing the Pedalcycle Helmet Fund; providing for the establishment of the Pennsylvania Pedalcycle and Pedestrian Advisory Committee; and further providing for exemption from surcharge.

HB 575 (Pr. No. 2024) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for increased penalties for multiple convictions for driving under influence of alcohol or controlled substance; and further providing for accidents involving damage to an attended and an unattended vehicle or property.

HB 943 (Pr. No. 1052)

An Act designating Exit 43 of Interstate Route 80 as the Richard Petty Exit.

SENATE RESOLUTION

DESIGNATING JUNE 12 THROUGH 16, 1995, AS "COMMUNITY BANKING WEEK" IN PENNSYLVANIA

Senators HOLL, CORMAN, JUBELIRER, SALVATORE, MOWERY, SHAFFER, DAWIDA, TOMLINSON, HELFRICK, SHUMAKER, AFFLERBACH, WENGER, O'PAKE, STOUT, ULIANA, BELL, MADIGAN, FUMO, ROBBINS, MELLOW, HART, MUSTO, PETERSON and KASUNIC, by unanimous consent, offered the following resolution (**Senate Resolution No. 55**), which was read, considered and adopted:

In the Senate, June 6, 1995

A RESOLUTION

Designating June 12 through 16, 1995, as "Community Banking Week" in Pennsylvania.

WHEREAS, For more than 150 years, Pennsylvania's community financial institutions have provided the local support our communities need to prosper and grow; and

WHEREAS, Today, more than 400 community banks in this Commonwealth continue the tradition of giving back to their local communities through nearly 2,000 banking offices; and

WHEREAS, With more than \$90 billion in assets, community banks know that when money stays in town, it becomes a renewable resource, creating an economic cycle that constantly revitalizes and stimulates local communities; and

WHEREAS, Community banks are working citizens in their communities in every sense of the word with more than 30,000 full-time and part-time employees; and

WHEREAS, These banks have made significant contributions to the economic well-being of this Commonwealth through their financial support, their dedication as good neighbors and, above all, their service as financially sound and reliable sources of economic lifeblood in our communities; and

WHEREAS, Pennsylvania's community banks focus on the prosperity of individuals and small businesses in their hometowns; and

WHEREAS, Community banks have reinvested, on average, 95% of their loan portfolio in their own communities through residential mortgages and commercial, agricultural and student loans; and

WHEREAS, Community banks play a significant role in local economic development efforts, stimulating the economy to produce jobs and new opportunities and, as a group, they contribute an important and strong part of this Commonwealth's economic fabric; and

WHEREAS, Community banks also enjoy the trust of their customers; and

WHEREAS, Indeed, neighbors are helping neighbors build their homes, save for higher education, plan for retirement and fulfill other dreams; and

WHEREAS, Community banks have long helped in the development of our communities and this Commonwealth as a whole; therefore be it

RESOLVED, That the Senate of Pennsylvania designate June 12 through 16, 1995, as "Community Banking Week" in Pennsylvania with heartfelt appreciation for the contributions of these helpful institutions.

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 140, SB 461, SB 633, SB 651, SB 684, SB 873, SB 982, SB 996, SB 1009, SB 1037, SB 1052, HB 2, HB 39, HB 48, HB 575, HB 578, HB 943 and HB 1488.

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

ANNOUNCEMENT BY MINORITY LEADER

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, the Pennsylvania Legislative Sportsmen's Caucus was supposed to have a meeting tomorrow morning at 9 o'clock in the House Majority Caucus Room, but because our Session is at 10 o'clock tomorrow morning, that meeting has been moved up to 8 o'clock. I would just like to make the announcement to all Members of the Senate that the Pennsylvania Legislative Sportsmen's Caucus, which was to meet at 9 o'clock in the House Majority Caucus Room, will now meet at 8 o'clock in the House Majority Caucus Room, and the request is that all Members of the Senate who are interested in promoting the business of sportsmen are asked, if they can, to attend the meeting.

Thank you.

The PRESIDENT. The record will reflect this.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Anne B. Anstine by Senator Corman.

Congratulations of the Senate were extended to Kevin M. Brown and to Gregory Alex by Senator Gerlach.

Congratulations of the Senate were extended to Andrew Gannon by Senator Heckler.

Congratulations of the Senate were extended to Graham C. Showalter, Esquire, and to Joel L. Cunningham, PhD, by Senator Helfrick.

Congratulations of the Senate were extended to Jim Suttle by Senators Helfrick and Tomlinson.

Congratulations of the Senate were extended to Andrea Fogel Kimmins by Senator Hughes.

Congratulations of the Senate were extended to Dr. and Mrs. A. Monroe Bertsch by Senator Lemmond.

Congratulations of the Senate were extended to Shawn P. Quinn, Jane G. Pepper and to the Springfield Fire Company by Senator Loeper.

Congratulations of the Senate were extended to Morton International, Inc., of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Richard Coccimiglio by Senator Peterson.

Congratulations of the Senate were extended to Joseph H. Jones, Sr., Wilhelmina J. Payne and to the Pottsville Hospital and Warne Clinic by Senator Rhoades.

Congratulations of the Senate were extended to the Bucks County Hispanic Chamber of Commerce by Senator Tomlinson.

Congratulations of the Senate were extended to Smithfield Township by Senator Uliana.

Congratulations of the Senate were extended to Joseph Costanzo, Jr., by Senator Wagner.

Congratulations of the Senate were extended to His Royal Highness, Alaiyeluwa Oba Okunade Sijuwade, Olubuse II, The Oluaiye and Ooni of Ife by Senator Williams.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Annis L. Tyler by Senator Lemmond.

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

June 6, 1995

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Theodore P. Michaels, Jr., 1324 Natalie Road, Phoenixville 19460, Chester County, Forty-fourth Senatorial District, for appointment as District Justice, in and for the County of Chester, Magisterial District 15-2-01, to serve until the first Monday of January 1996, vice John T. Jeffers, deceased.

THOMAS J. RIDGE
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate SB 933, with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly adjournment.

BILLS SIGNED

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

SB 245 and SB 933.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 7, 1995

9:00 A.M.	EDUCATION (to consider Senate Bills No. 714 and 975; and any other business that may come before the Committee)	Room 461 Main Capitol
9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 325 and 868)	Room 8E-B East Wing
9:30 A.M.	MILITARY AND VETERANS AFFAIRS (to consider Senate Bills No. 315, 393, 585, 586, 587, 698 and 712; and confirmation hearings on Brig. Gen. James W. Mac Vay, Col. Larry G. Powell and Col. Eugene P. Klynoot)	Room 8E-A East Wing

THURSDAY, JUNE 8, 1995

10:00 A.M.	LABOR AND INDUSTRY (public hearing to seek input on the Commonwealth's current laws and policies which affect the retention of jobs in Pennsylvania)	York County Area Vo-Tech School, 2179 S. Queen St. York, PA
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TUESDAY, JUNE 13, 1995

9:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on welfare reform)	Room 8E-A East Wing
10:30 A.M.	INTERGOVERNMENTAL AFFAIRS (to consider Senate Resolution No. 26)	Room 461 Main Capitol

ADJOURNMENT

Senator FISHER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 7, 1995, at 10 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 4:30 p.m., Eastern Daylight Saving Time.