

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, JUNE 12, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 37

SENATE

MONDAY, June 12, 1995

The Senate met at 5:21 p.m., Eastern Daylight Saving Time.

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 7, 1995.

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

LEGISLATIVE LEAVES

The PRESIDENT. The following leaves granted in today's Special Session will also be granted in the Regular Session:

Temporary Capitol leaves for Senator Jones, Senator Dawida, and Senator Andrezeski.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS 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:

TREASURER, SUSQUEHANNA COUNTY

June 7, 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, Catherine R. Benedict, R. R. 1, Box 88A1, Susquehanna 18847-9766, Susquehanna County, Twentieth Senatorial District, for appointment as Treasurer, in and for the County of Susquehanna, to serve until the first Monday of January 1996, vice Sandra Major, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

June 7, 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, Oscar J. Petite, Jr., 633 Kirkpatrick Street, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, for appointment 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.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

June 12, 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, Catherine A. Warren, 824 East Ninth Street, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Lorraine M. Martin, Ashley, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

June 12, 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 Goldsworthy, Jr. (Republican), 21 Montgomery Avenue, West Pittston 18643-2809, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Luzerne County Board of Assistance, to serve until December 31, 1997, and until his successor is appointed and qualified, vice Louise T. Ott, Wilkes-Barre, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

June 12, 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, Joseph M. Salvo (Republican), 1050 Sheffield Road, Shavertown 18708-9546, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Luzerne County Board of Assistance, to serve until December 31, 1996, and until his successor is appointed and qualified, vice Louise M. Capolarella, Pittston, whose term expired.

THOMAS J. RIDGE Governor

DISTRICT JUSTICE

June 12, 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, Joseph Zola, 110 1/2 Butler Drive, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for appointment 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.

THOMAS J. RIDGE Governor

DISTRICT JUSTICE

June 12, 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. Slezosky, 34 North White Street, Shenandoah 17976, Schuylkill County, Twenty-ninth Senatorial District, for appointment as District Justice, in and for the County of Schuylkill, Magisterial District 21-3-05, to serve until the first Monday of January 1998, vice Daniel G. Grow, resigned.

THOMAS J. RIDGE Governor

RECALL COMMUNICATION 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:

MEMBER OF THE PENNSYLVANIA HUMAN RELATIONS COMMISSION

June 7, 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 19, 1995 for the appointment of Robert S. Mirin, Esquire, 8150 Derry Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1999, and until his successor is appointed and qualified, vice Gregory J. Celia, Jr., Lancaster, whose term expired.

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

THOMAS J. RIDGE Governor

HOUSE MESSAGES

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:

June 8, 1995

HB 543 -- Committee on State Government.

HB 702 -- Committee on Local Government.

HB 1209 -- Committee on Communications and High Technology.

HB 1400 -- Committee on Environmental Resources and Energy.

HB 1526 -- Committee on Aging and Youth.

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:

June 8, 1995

Senators DELP, MADIGAN, TOMLINSON, HECKLER, PETERSON and HELFRICK presented to the Chair SB 1078, entitled:

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

Which was committed to the Committee on JUDICIARY, June 8, 1995.

Senators BODACK, BELAN, DAWIDA, LAVALLE, WAGNER and STEWART presented to the Chair SB 1079, entitled:

An Act making an appropriation to the Historical Society of Western Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, June 8, 1995.

Senators HART, SALVATORE, HECKLER, PETERSON, MUSTO, WENGER, TOMLINSON, HELFRICK and RHOADES presented to the Chair SB 1080, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the definition of "local agency" for purposes of governmental immunity.

Which was committed to the Committee on JUDICIARY, June 8, 1995.

Senators HART, HELFRICK, TOMLINSON, AFFLERBACH, BELAN, BAKER, PETERSON, MUSTO, MOWERY, SALVATORE, O'PAKE, WILLIAMS, KASUNIC, GERLACH, STEWART, SCHWARTZ, WENGER, DELP, PORTERFIELD and RHOADES presented to the Chair **SB 1081**, entitled:

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), entitled, as amended, "Emergency and Law Enforcement Personnel Death Benefits Act," extending benefits to survivors of hazardous material response team members; and defining "killed."

Which was committed to the Committee on LABOR AND INDUSTRY, June 8, 1995.

Senator ARMSTRONG presented to the Chair **SB 1082**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for terminal rental adjustment clauses.

Which was committed to the Committee on TRANSPORTATION, June 8, 1995.

Senator SALVATORE presented to the Chair **SB 1083**, entitled:

An Act authorizing Commonwealth and municipal government entities to enter into guaranteed energy savings contracts.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 8, 1995.

Senators SCHWARTZ, O'PAKE, JONES, PORTERFIELD, HECKLER, AFFLERBACH and RHOADES presented to the Chair **SB 1084**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for requirements and form of a decree of adoption.

Which was committed to the Committee on JUDICIARY, June 8, 1995.

Senators FISHER, BRIGHTBILL, BELL, SALVATORE, MOWERY, AFFLERBACH, KASUNIC, HELFRICK, HART and DELP presented to the Chair **SB 1085**, entitled:

An Act providing for Statewide nurse aide training programs relating to nursing facilities.

Which was committed to the Committee on AGING AND YOUTH, June 8, 1995.

Senators FISHER, BELL, SALVATORE, HELFRICK, AFFLERBACH, KASUNIC, MOWERY, HART, BRIGHTBILL and DELP presented to the Chair **SB 1086**, entitled:

An Act requiring administrators of certain residential care facilities to require applicants for employment to submit criminal history record information.

Which was committed to the Committee on AGING AND YOUTH, June 8, 1995.

Senators FISHER, SALVATORE, HART, BELL, HELFRICK, BRIGHTBILL, MOWERY, KASUNIC, AFFLERBACH and DELP presented to the Chair **SB 1087**, entitled:

An Act amending the act of November 6, 1987 (P. L. 381, No. 79), entitled "Older Adults Protective Services Act," further providing for reporting, for investigations of reports of need for protective services and for confidentiality of records; and providing for a registry of perpetrators of abuse in institutions.

Which was committed to the Committee on AGING AND YOUTH, June 8, 1995.

Senator FISHER presented to the Chair **SB 1088**, entitled:

An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, further providing for the construction of instruments, including statutes and certain other public documents; and making repeals of certain laws enacted through December 31, 1800.

Which was committed to the Committee on JUDICIARY, June 8, 1995.

Senators FISHER, SALVATORE, TOMLINSON, HART, O'PAKE, BELL, HELFRICK, MUSTO, AFFLERBACH, HECKLER and DELP presented to the Chair **SB 1089**, entitled:

An Act providing for notification to law enforcement officers of exposure to contagious disease or virus.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 8, 1995.

Senator SALVATORE presented to the Chair **SB 1090**, entitled:

An Act amending the act of November 26, 1978 (P. L. 1309, No. 317), entitled "Public Works Contract Regulation Law," further providing for applicability.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 8, 1995.

Senator SALVATORE presented to the Chair **SB 1091**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," further providing for the applicability of the Political Subdivision Procurement Interest Payment Act.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 8, 1995.

GENERAL COMMUNICATION

REPORT OF MINING AND RECLAMATION ADVISORY BOARD

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

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Resources
Rachel Carson State Office Building
P. O. Box 2063
Harrisburg, PA 17105-2063

June 2, 1995

Mr. W. Russell Faber
Chief Clerk
Senate of Pennsylvania

Senate Box 203052
Main Capitol Building
Harrisburg, PA 17120-3052

Dear Mr. Faber:

I am pleased to transmit the Report of the Mining and Reclamation Advisory Board to the Pennsylvania Department of Environmental Resources. This report summarizes the activities of the Board for the period from January 1993 to October 1994.

The Mining and Reclamation Advisory Board is committed to working closely with the Department and the General Assembly to cooperatively assess problems and advise on workable solutions.

If you have any questions about the report or the Board, please feel free to contact Ernest F. Giovannitti, Director of the Bureau of Mining and Reclamation, at 717-787-5103.

Sincerely,

JAMES M. SEIF
Secretary

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

APPOINTMENT BY MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Ms. Patricia Imbesi as a member of the Board of Trustees of Drexel University.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS 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 certain nominations off the floor; also, the Committee on Environmental Resources and Energy to consider House Bills No. 1400 and 1639.

REPORTS FROM COMMITTEE

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

SB 190 (Pr. No. 191)

An Act making an appropriation to the Curtin Village Historic Site for maintenance.

SB 476 (Pr. No. 1004) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the transfer of ownership of a vehicle; and providing for the development of an electronic lien program.

HB 272 (Pr. No. 1538) (Rereported)

An Act requiring the Department of Environmental Resources to conduct a study and issue a report of its tree harvesting practices in State forests.

HB 1238 (Pr. No. 2084) (Amended)

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to annuitants of the Public School Employees' Retirement System or the State Employees' Retirement System who return to

school service or State service; increasing annuitant membership on the Public School Employees' Retirement Board; and making a repeal.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Senator FISHER offered the following resolution, which was read, considered and adopted:

In the Senate, June 12, 1995

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 19, 1995, 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, June 19, 1995, unless sooner recalled by the Speaker of the House of Representatives.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Cumberland, Senator Mowery.

Senator MOWERY. Mr. President, the recent primary election again proved that in many areas school board races are among the issues that many times compel our voters to go to the polls. The reason is simple: whether the subject is school taxes or contracts or curriculum matters, parents and taxpayers care a great deal about the decisions being made by local districts and who is making those decisions.

Unfortunately, there is one notable area, the filling of a vacancy on the school board, where the public can be, and frequently is, shut out. Controversy flared because of a situation in the Carlisle School District where a vacancy was filled after private review of the candidates by board members. The Carlisle newspaper sued but lost in Commonwealth Court in a 1994 ruling. I do not believe that that decision represents good public policy. The General Assembly must act to correct this problem and restore the intent and effect of the Pennsylvania Sunshine Law.

Filling a vacancy on a governing body itself is a far different matter than hiring someone who will be working for the board. I served on a school board. I understand the pressures of time and politics, but doing things properly in public view

is far better than trying to serve the interests of expediency. A board that uses a secret process to select a candidate impairs the credibility of both the new member and the board itself. Taxpayers have a right to know what the field of prospects looks like, who supports the choice, and why that individual drew the support of the majority.

To bring policy in line with public interests, I introduced Senate Bill No. 238, which would remove executive session protection from the candidate screening process. The consideration of candidates and narrowing of the list would have to occur in a public meeting. When school board slots are filled by election, the candidates have to go through a wide open process of scrutiny by the voters. There should be no less a test for filling a vacancy. The minimum requirement now, a public vote on a candidate, is not very instructive. There is everything to gain, most of all public confidence, through an open process.

Some school directors have, to their credit, filled vacancies through an open process and no one has yet demonstrated any negative result from this procedure. I am told that most municipalities use an open process in such situations as well. The critics argue that openness will discourage candidates from coming forward. I disagree. Under a secret process, many suspect the deck is stacked, the system wired, and they withhold expressing interest. That suspicion vanishes if people are assured there will be an open process.

Mr. President, I ask for an affirmative vote on this particular bill, Senate Bill No. 238.

Thank you.

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

The PRESIDENT pro tempore. Mr. President, I want to make a few remarks, if I might. I commend the gentleman from Cumberland, Senator Mowery, for his sponsorship of this legislation. It is a very important piece of legislation, and I just want to make a few brief remarks, since it is an issue that I have been involved with for much of my legislative life.

Mr. President, I believe it was in the 1980s that we spent nearly 5 years developing the current Sunshine Law, the one that is now in effect. It is still a fundamentally sound law, but court decisions have chipped away at several important public protections. This bill will fix one of the problem areas. The hiring and personnel decisions were subjects discussed at length, and the understanding was that the personnel exemption would relate to situations involving employees.

Mr. President, there is no way we could have contemplated or anticipated that the same rules affecting personnel matters involving employees would apply to the governing body itself. From the standpoints of both legislative intent and public interest, the court ruling was in error and, in my judgment, should be overturned. The members of a body such as a school board must stand for election in their own right, fully airing their credentials for public inspection. They should not be selecting a colleague through a largely secret process. Senator Mowery's bill is reasonable, it is in the public interest, and it restores our understanding of what sunshine should be in this respect.

I urge its adoption, and thank you, Mr. President, for the opportunity to make these remarks.

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.

BILL REREFERRED

HB 247 (Pr. No. 2045) – 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; further providing for insurance fraud; and further prohibiting prostitution.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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.

BILLS OVER IN ORDER

HB 293 and SB 355 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 468 (Pr. No. 1199) -- 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.

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.

BILL OVER IN ORDER

SB 652 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 653 (Pr. No. 1200) -- 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.

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.

BILL ON THIRD CONSIDERATION AMENDED

SB 665 (Pr. No. 699) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," providing for compensation of township commissioner.

On the question,
Will the Senate agree to the bill on third consideration?
Senator LOEPER offered the following amendment No. A3085:

Amend Sec. 1 (Sec. 703), page 2, line 15, by inserting brackets before and after the period and inserting immediately thereafter: or when an increase in salary is authorized pursuant to this section, the increase may be applied to the amount of the salary of the commissioner at the time such an increase is enacted by the board of commissioners.

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 LOEPER.

BILLS OVER IN ORDER

SB 666, SB 667, HB 710, SB 775 and SB 776 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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
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 present said bill to the House of Representatives for concurrence.

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 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
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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 1095 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

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

BILL REREFERRED

HB 48 (Pr. No. 2023) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL OVER IN ORDER

SB 140 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 315 (Pr. No. 325) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for pay for State service.

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

BILL ON SECOND CONSIDERATION

SB 316 (Pr. No. 1150) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, empowering the Governor to authorize the transfer of certain convicted offenders pursuant to outstanding treaties.

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

BILLS REREFERRED

SB 325 (Pr. No. 1208) -- The Senate proceeded to consideration of the bill, entitled:

An Act creating the Recreational Trails Advisory Board; providing for funding for motorized and nonmotorized recreational trails; providing for powers and duties of the Department of Environmental Resources; establishing a fund; providing for the disposition of certain tax revenues; and making a repeal.

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

SB 393 (Pr. No. 406) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for Pennsylvania State flag awards to certain Pennsylvania National Guard retirees.

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

BILL OVER IN ORDER

SB 414 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 461 (Pr. No. 1196) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 475 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 511 (Pr. No. 2046) — The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 575 and **HB 578** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS REREFERRED

SB 585 (Pr. No. 609) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 11, 1947 (P. L. 565, No. 248), entitled "World War II Veterans' Compensation Act," extending the time during which applications may be filed for veterans' compensation.

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

SB 586 (Pr. No. 610) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 8, 1957 (P. L. 569, No. 317), entitled "Korean Conflict Veterans' Compensation Act," extending the time period for filing applications for compensation.

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

SB 587 (Pr. No. 611) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 18, 1968 (P. L. 405, No. 183), entitled "Vietnam Conflict Veterans' Compensation Act," extending the time period for filing applications for compensation.

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

BILL ON SECOND CONSIDERATION

SB 598 (Pr. No. 622) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 17, 1971 (P. L. 181, No. 23), entitled "Charitable Instruments Act of 1971," further providing for amendment of governing instruments of charitable organizations.

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

BILLS OVER IN ORDER

SB 633, SB 651 and SB 684 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 698 (Pr. No. 1205) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational aid for certain members of the Pennsylvania National Guard; and conferring powers and duties on the Adjutant General, the Department of Military Affairs and the Pennsylvania Higher Education Assistance Agency.

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

BILL ON SECOND CONSIDERATION AMENDED

HB 701 (Pr. No. 773) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for adoption of property maintenance regulations and standard codes; and eliminating provisions for milk inspection.

On the question,

Will the Senate agree to the bill on second consideration?

Senator HART offered the following amendment No. A2779:

Amend Title, page 1, line 5, by striking out "and"

Amend Title, page 1, line 5, by removing the period after "inspection" and inserting: ; and further providing for the manufacture and purchase of electricity.

Amend Bill, page 5, by inserting between lines 3 and 4:

Section 2. Section 2471 of the act, amended December 16, 1992 (P.L.1215, No.158), is amended to read:

Section 2471. Manufacture and Purchase of Electricity.—Any borough may manufacture or purchase electricity for the use of the inhabitants of such borough. Any borough owning or operating electric light plants may make contracts for supplying electricity for commercial purposes outside the limits of such borough, with the consent of the municipal and township authorities. Nothing in this section shall conflict with the corporate rights of any corporation empowered to supply electricity in territory adjacent to such boroughs, or with the rights of any other borough. No person, firm, or corporation shall introduce electric current for light, heat, or power purposes, without the consent of the borough authorities, into the limits of any borough which is furnishing electric current to the inhabitants: Provided, however, That this section shall not apply to any person, firm, or corporation manufacturing electricity exclusively for its own use: And provided further, That before any borough [which constructs] shall construct an electric light plant, or [purchases] purchase the property of any person, copartnership, or electric light company, and [incurs] incur debt for any of such purposes, the question of increase of the borough debt for such purposes shall first be submitted to the qualified voters of the borough in the manner provided by law for the increase of indebtedness of municipal corporations. The borough shall incur such debt in accordance with and to the extent permitted by the

act of July 12, 1972 (P.L.781, No.185), known as the "Local Government Unit Debt Act." Nothing in this act shall be construed so as to disallow any borough from operating a cable television system.

Section 3. The amendment of section 2471 of the act shall apply to any construction that is not complete and to any purchase of property for which title to the property has not been transferred on the effective date of this act.

Amend Sec. 2, page 5, line 4, by striking out "2" and inserting:

4

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 this amendment, which is also identical to Senate Bill No. 938, which I introduced this Session. It simply restores to the public the opportunity to vote on indebtedness for a borough which would like to take over a power company.

Mr. President, in 1992 we passed a bill which took this right away from Pennsylvanians, and I believe that we should restore the right of citizens of a borough to make a decision that will, in the long term, likely cause their taxes to increase.

Thank you, Mr. President.

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

Senator BODACK. Mr. President, would the gentlewoman from Allegheny, Senator Hart, please stand for interrogation?

Senator HART. I will, Mr. President.

The PRESIDENT. Senator Bodack, you may proceed.

Senator BODACK. Mr. President, it is my understanding that this amendment is being offered specifically to address the issue of a referendum for the voters of Tarentum Borough. Is that correct?

Senator HART. Mr. President, the issue was brought to my attention by the residents of the borough of Tarentum, which is in my district. That is correct.

Senator BODACK. Mr. President, is it not true that Tarentum Borough, prior to the year 1966, used to manage the electrical power grid within its jurisdiction of Tarentum?

Senator HART. Yes, Mr. President. In fact, the borough of Tarentum did at one time manage a power plant. However, since 1966 there have been significant changes in the borough of Tarentum. They have lost a number of jobs. The residents are primarily senior citizens. They are a very highly taxed borough and really cannot afford to add to that burden. Therefore, they have a very legitimate concern about their future tax rates, and the residents are very interested in having an opportunity to vote on this issue once again.

Senator BODACK. Mr. President, is it not true that Tarentum Borough at that time, in 1966, entered into a lease arrangement with West Penn Power which included the opportunity to buy any improvements that were made by West Penn Power during the term of that lease arrangement?

Senator HART. Mr. President, it is correct that they did enter into a lease agreement. However, that lease agreement really does not have anything to do with this particular proposal that we are considering today.

Senator BODACK. Mr. President, I do not necessarily agree with that and I hope to show why. Is it not also true that that lease expires on March 16, 1996?

Senator HART. Yes, Mr. President. It is true that the residents of the borough are in imminent danger then of facing some very serious debt that will begin at that time.

Senator BODACK. Mr. President, if that lease expires on March 16, 1996, I would ask the gentlewoman what happens to the power company with regard to ownership of the grid?

Senator HART. Mr. President, the ownership will not change. The borough currently owns it and will continue to own it unless they make other provisions. This particular amendment simply allows the residents of that borough the final say in incurring a very immense amount of indebtedness in regard to a project of them actually running a power plant.

Senator BODACK. And that is as it should be, Mr. President, and that is why the citizens of that borough elected a borough council, to see that their wishes are adhered to. But is it not also true that the West Penn Power Company would receive that power grid system free of charge - no money, not even one dollar - to take that over and to own it, at the same time that the borough would be losing \$140,000 per year for the use of that grid if no agreement is reached by March 16, 1996? Is that not true?

Senator HART. Mr. President, the borough, which has made a decision on its own without final say from the voters—I think the gentleman misunderstood what I said—they made a decision on their own because the law was changed in 1992 that prevented the voters from having a final say in incurring this large amount of indebtedness. Therefore, Mr. President, I am simply trying to restore the borough residents' final say in a decision which may in the long term cost them a lot of money.

Mr. President, this amendment has nothing to do with the borough making a final decision on its own. It will decide on its own whether this is a good risk for it to take. The residents should be able to make that decision. That is what this amendment deals with. It does not deal with what that decision will be.

Senator BODACK. Mr. President, we understand that from the gentlewoman's previous comments. But the question that I asked has not yet been answered, and the question, if I have to, I will repeat it, and that is, is it not true that when that lease expires that the company, if the borough has not moved to do anything with the power grid, will receive it for free, and is it not also true that the \$140,000 per year that the borough is receiving now per the agreement would be lost simply because no agreement has been made between the power company and the borough council by March 16, 1996? Now, is that not true?

Senator HART. Mr. President, I believe what the gentleman has stated is not accurate information regarding what would happen following the end of that lease agreement. My information, Mr. President, tells me that there are options at that point in time. Those facilities could be purchased or the borough could actually purchase the improvements and proceed with their own power plant. Again, Mr. President, this really has nothing to do with the amendment that I have proposed.

Senator BODACK. Mr. President, this has everything to do with the amendment that is before us. As I stated, the information I have is the borough would lose \$140,000 a year because the agreement is no longer in effect, and simply because no further agreement is reached, the borough would give up the rights to that power plant and the electric company, West Penn Power, would own it absolutely free.

Now, I would further ask if the information that we share is wrong, if the gentlewoman is right and I am wrong, I would simply ask the gentlewoman where she got her information.

Senator HART. Is he still interrogating me, Mr. President?

The PRESIDENT. I believe this is so.

Senator HART. Mr. President, I have had information supplied to me by various sources, mostly residents of the borough of Tarentum.

Senator BODACK. Is there any reason, Mr. President, why the residents of the borough would be more familiar with the terms of the agreement that was signed by a council body from some 30 years ago as opposed to — should those citizens know more about the agreement than the existing council members?

Senator HART. I would hope, Mr. President, that both the existing council members and the borough would work together on an issue as important and of such great magnitude as this issue and of such long-term effect in such a small borough that has so many problems. At this point in time, Mr. President, I seek only to have the borough residents heard. They seek only to be able to vote on whether this is the best thing for the future of their borough and something they can actually afford.

Senator BODACK. Mr. President, I ask one further question regarding where the knowledge came from regarding this issue and that, simply, is, did the gentlewoman from Allegheny speak to the elected council members who voted for this proposal or who took public action to secure this utility?

Senator HART. Mr. President, I have spoken with residents of the borough of Tarentum, both elected council members and nonelected residents of the borough, and I have also reviewed a number of different documents. They have done a study. They have presented all kinds of different information which my staff and I have been reviewing for over a year, and it is my belief and the belief of the residents who have contacted me and are supportive of this idea that they should have the final say, as the law permitted them to do up until 1992 when someone who was apparently very interested in this dealt with this issue in a very quick and quiet fashion. I simply seek to restore the law to what it was prior to 1992.

Senator BODACK. Mr. President, I thank the gentlewoman.

Mr. President, I start my comments by just pointing out to the body that the borough council of Tarentum is predominately Democratic, and there could be a reason why members of council were not questioned, were not queried, and were not invited into the conversation as to why and what they were doing with this utility. Mr. President, it has been my impression that any ratification of a referendum, and there is no better referendum than an election to take place, that there was a decision made by the citizens of the borough of Tarentum in the past election where at least five of the incumbent council members who voted for this proposal were reelected on both

tickets and will withstand no opposition in the November election.

Mr. President, borough council reached their decision by documentation that they received from F & F Consultants, whom they commissioned to do the work in association with five other groups who evaluated the situation and made recommendations. Those organizations were the Quad Three Group from Wilkes-Barre, Santangelo & Associates of New Brighton, Graper & Associates from Tarentum, Dr. Robert Romancheck, a P. E. from Allentown, and McNees, Wallace & Nurick from Harrisburg, along with David P. Strellec from Tarentum.

Mr. President, it would seem to me that we would be concerned here in this body mainly with a reduction in the tax structure for any one of our municipalities, regardless of what registration might be there, regardless of what political persuasion the elected officials are from that area. I would further point out, Mr. President, that prior to 1996, the borough of Tarentum had operated its own system when they entered into the lease with West Penn. The agreement with West Penn reserved the borough's right to reclaim that operation at the end or the termination of that lease, which appears to be March 16, 1996. Also, under this lease West Penn Power has paid the borough \$140,000 annually for the use of the borough's power grid, and that is revenue, as I stated earlier, that would be lost to the borough at the end of this lease.

Mr. President, further, in August of 1993, Tarentum Borough Council voted unanimously to enter the power distribution business when the existing 30-year lease agreement with West Penn Power expires in March of 1996. Mr. President, it would seem to me that if the citizens to whom the good Senator has been talking from Tarentum are so strongly opposed to borough council's measure dealing with the power company, they certainly would have turned some of those people out of office. That did not happen. So, from that standpoint, it seems to me that the gentlewoman is getting some false information. She is probably getting it from some people who just in some way are in favor of the utility company or they may even be employees of the utility company, Mr. President.

I would repeat to this group, to this body, that if enacted, this legislation by Senator Hart would usurp the authority of the locally elected officials to act in the best interests of their constituents, and, as such, it is representative of Harrisburg once again playing Big Brother by meddling and foisting its will where it does not belong. Mr. President, the Hart legislation would aid and abet the special interests of West Penn Power and the other monopolistic utility companies which are seeking to discourage competition from municipally-owned power systems for lower electric rates. This legislation jeopardizes 34 other municipally-operated power systems throughout the Commonwealth of Pennsylvania. This legislation further forces Tarentum to increase their taxes by as much as 15 mills, and it will drastically curtail services to make up for the loss of revenue from West Penn Power's expired lease payments and to repay the bonds that have already been floated to reclaim the borough's power distribution business.

Mr. President, Tarentum Borough is a very nice community. It is a relatively small borough with a population of 5,600 people, and it is at the forefront of a rapidly growing national trend. Now, despite the fear and the paranoia that has been generated across this Commonwealth and across parts of this country by the monopolistic electric companies, the cities and towns across America are getting into the power distribution business as a way to save the taxpayers money and to also reduce the consumer electric rates. Now, in a recent article in the Valley News Dispatch, they pointed out that the electric rates in city-owned systems are about 20 percent less than the rates that are charged by neighboring utilities. Mr. President, the numbers that I have range anywhere from 20 to 30 percent. It is as high as 28 percent in some areas. In a town in New Mexico there are electric rates that went up 500 percent between 1970 and 1990, and it shows that if the city took those over, they would have saved 29 percent under a city-owned system.

Mr. President, once again, I will not dispute the fair Senator from Tarentum. She claims that she is in touch with the people of Tarentum, and I certainly believe that she is. They appear to like her very well up there. Most of them, in her judgment, apparently based on opposition from a very vocal minority of those constituents, really do not want the borough to reenter the power distribution business. Interestingly though, Senator Hart has, according to Tarentum Borough sources, failed to talk to any of the locally elected officials or knowledgeable professionals who are involved in the decisionmaking process. Now, Mr. President, that concerns me, as it should concern every Member of this body. As I stated before, borough council members who supported the project and who are seeking reelection this year are facing little, if any, opposition, and that is the number one referendum to any political person in this room and elsewhere. In five out of the nine council seats that are up for election, at least four of the incumbents who support the borough power plans are not facing any opposition in the fall, and the fifth candidate who is on the ballot to replace a retiring council member also has no opposition, and that person also supports the borough's plans to go into the electrical business.

So, Mr. President, I would say that we have heard just about as much as there is to tell of this story. We do have the facts and the data to prove out the fact that we should be assisting this borough to do whatever is necessary, whatever they feel is necessary, who are elected by the people that they are now representing. Mr. President, I would ask for a "no" vote on this amendment in the interest of all of the citizens of Tarentum Borough, as well as the other citizens in the 34 communities who do have municipally-owned utility companies.

Thank you.

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

Senator HART. Mr. President, I only wish to add for the record that the Valley News Dispatch that was quoted by the gentleman from Allegheny, Senator Bodack, has run an editorial in support of my bill, which is identical to this amendment.

Thank you, Mr. President.

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

Senator BODACK. Mr. President, one final point that I would like to make, if I may: The Valley News Dispatch has been taking advertising dollars from utility companies ever since they have been in business, so I would say there certainly is a vested interest there.

LEGISLATIVE LEAVES

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

Senator BODACK. Mr. President, Senator Afflerbach has been called back to his office, and I request a temporary Capitol leave for him, as well as for Senator O'Pake.

The PRESIDENT. Senator Bodack requests temporary Capitol leaves for Senator Afflerbach and Senator O'Pake. Without objection, those leaves will be granted.

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

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

YEAS—29

Armstrong	Greenleaf	Loeper	Salvatore
Baker	Hart	Madigan	Shaffer
Bell	Heckler	Mowery	Shumaker
Brightbill	Helfrick	Peterson	Tilghman
Corman	Holl	Punt	Tomlinson
Delp	Jubelirer	Rhoades	Uliana
Fisher	Lemmond	Robbins	Wenger
Gerlach			

NAYS—21

Afflerbach	Hughes	Musto	Stewart
Andrezski	Jones	O'Pake	Stout
Belan	Kasunic	Porterfield	Tartaglione
Bodack	LaValle	Schwartz	Wagner
Dawida	Mellow	Stapleton	Williams
Fumo			

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

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

It was agreed to.
Ordered, To be printed on the Calendar for third consideration?

BILL OVER IN ORDER

SB 712 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 714 (Pr. No. 1206) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a higher education tuition assistance program for children of firefighters, law enforcement officers and members of the ambulance services and rescue squads killed in the performance of their duties.

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

BILL ON SECOND CONSIDERATION AMENDED

HB 714 (Pr. No. 1441) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for service to fire hydrants.

On the question,
Will the Senate agree to the bill on second consideration?
Senator FISHER offered the following amendment No. A3286:

Amend Sec. 1 (Sec. 1328), page 1, lines 9 through 16, page 2, lines 1 through 15, by striking out all of said lines on said pages and inserting:

(a) General rule.—A public utility that furnishes water to or for the public shall be allowed to recover in rates the full cost of service related to public fire hydrants.

(b) Charge to municipalities and other customers of the public utility.—

(1) In determining the rates to be charged for public fire hydrants by a public utility that furnishes water to or for the public, the commission shall, as part of a utility's general rate proceeding, provide for the recovery of the costs of public fire hydrants in such a manner that the municipalities in which those public fire hydrants are located are not charged for more than 25% of the cost of service for those public fire hydrants, as such cost of service is reasonably determined by the commission.

(2) The commission shall also, as part of the utility's general rate proceeding, provide for the recovery of the remaining cost of service for those public fire hydrants not recovered from the municipalities under paragraph (1) by assessing all customers of the public utility the remaining cost of service to the public fire hydrants. The remaining cost of service for those public fire hydrants shall be included in the public utility's fixed or service charge or minimum bill.

(c) Effect on current rates.—The legal rates charged to municipalities for public fire hydrants in effect on the effective date of this section shall remain frozen and shall not be changed until the present rates for those public fire hydrants are determined to be below the 25% ceiling established under subsection (b). The remaining cost of service for those public fire hydrants not recovered from the municipality shall be recovered from all customers of the public utility in the public utility's fixed or service charge or minimum bill.

(d) Definition.—As used in this section, the term "public fire hydrant" means a fire hydrant that is charged, at least in part, to a municipality such as a city, borough, town or township.

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

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

It was agreed to.
Ordered, To be printed on the Calendar for third consideration?

BILLS OVER IN ORDER

SB 790 and HB 844 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 868 (Pr. No. 918) -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating the use, storage, purchase and sale of explosive materials; requiring the licensing of persons for the detonation of explosive materials; requiring permits for the purchase and sale of explosive materials; imposing duties on persons who use, store, purchase and sell explosive materials; authorizing the Environmental Quality Board to adopt regulations and the Department of Environmental Resources to enforce and administer the act and regulations; providing for enforcement and remedies; establishing a fund; prescribing penalties; and making repeals.

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

BILLS ON SECOND CONSIDERATION

SB 873 (Pr. No. 923) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 943 (Pr. No. 1052) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS REREFERRED

SB 975 (Pr. No. 1207) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 22, 1986 (P. L. 1452, No. 143), entitled "Adult Literacy Act," further providing for adult literacy and education; establishing and empowering the Interagency Coordinating Council; and providing for interagency agreements and reports.

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

SB 996 (Pr. No. 1193) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 1009 (Pr. No. 1198) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION

HB 1032 (Pr. No. 1602) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the preemption of ordinances and other regulations of cities of the first class for capital projects and improvements of State-related universities principally located within cities of the first class.

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

BILL REREFERRED

SB 1037 (Pr. No. 1140) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 1052 and HB 1076 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The record should reflect that Senator Jones is back from temporary Capitol leave, and that leave is hereby cancelled.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS ON SECOND CONSIDERATION

HB 1085 (Pr. No. 1974) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Office of State Fire Commissioner as an independent office; transferring the Volunteer Loan Assistance Program and the State Fire Academy to the Office of State Fire Commissioner, and making repeals.

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

HB 1086 (Pr. No. 1209) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for organization of Pennsylvania Emergency Management Agency.

Considered the second time and agreed to,

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

HB 1488 (Pr. No. 1737) — The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

RECESS

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

Senator LOEPER. Mr. President, at this time I would ask for a brief recess of the Senate, first for the purpose of a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Environmental Resources and Energy in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. Senator Loeper requests a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, followed by a meeting of the Committee on Environmental Resources and Energy, and for those purposes, the Senate stands in recess.

AFTER RECESS

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

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

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

MEMBER OF THE HEALTH POLICY BOARD

June 2, 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 Jeffrey P. Lindtner, CIGNA Corporation, 1600 Arch Street, Philadelphia 19103, Philadelphia

County, First Senatorial District, as a member of the Health Policy Board, to serve for a term of one year and until his successor is appointed and qualified, pursuant to Act 179, approved December 18, 1992.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA MINORITY BUSINESS DEVELOPMENT AUTHORITY

June 2, 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 11, 1995 for the appointment of Leslie Gromis, 1518 North Second Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 1999 and until her successor is appointed and qualified, vice Millicent Hooper, Harrisburg, resigned.

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 LOEPER. 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.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

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

May 15, 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, Julia A. Ansill, 217 Fourth Street, California 15419, Washington County, Thirty-second Senatorial District, for reappointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of High-

er Education, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
EASTERN STATE SCHOOL AND 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, Lori Blackburn, 348 Indian Creek Drive, Levittown 19057, Bucks County, Sixth Senatorial District, for appointment as a member of the Board of Trustees of Eastern State School and Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Charles Steinbach, Warminster, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG 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, Genevieve K. Schafer, 565 Heidelberg Lane, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Ruth Kline, Ebensburg, confirmed to another position.

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, R. Benjamin Wiley, 570 Tanager Drive, 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 2001, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF FARVIEW 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, James Mancuso, R. D. #2, Box 345, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Farview State Hospital, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice John P. Moran, Carbondale, resigned.

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, Alvin Ackerman, 2820 Hill Crest Road, Drexel Hill 19026, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Haverford State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Patricia Jenkins, Esquire, Media, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

April 20, 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, F. Eugene Dixon, Jr., P. O. Box 178, Lafayette Hill 19444-0178, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 1998 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

April 20, 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, Glenn Y. Forney, 10 Oldfield Road, Shavertown 18708, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 1998 and

until his successor is appointed and qualified, vice Julius B. Uehlein, Camp Hill, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

April 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, Elizabeth L. Schmid, 746 South Franklin Street, Apartment 1-A, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated, vice Stephen E. Whitby, Allentown, graduated.

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA HISTORICAL
AND MUSEUM 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, Janet S. Klein, 1475 Hampton Road, Rydal 19046, Montgomery County, Twelfth 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 her successor is appointed and qualified, vice William F. Heefner, Esquire, Perkasio, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS 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, Joseph J. Borgia, 2504 East 43rd Street, Erie 16510, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until February 21, 1998, and until his successor is appointed and qualified, vice Lauren K. Lukert, Erie, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA

May 24, 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, Kim E. Lyttle, 5013 Impala

Drive, Pittsburgh 15239, Allegheny County, Forty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

May 8, 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 W. Schwoyer, 315 Lenni Street, Kutztown 19530, Berks County, Eleventh Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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.

THOMAS J. RIDGE
Governor

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

May 8, 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, Dolores W. Siegel, 1120 North Broad Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

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, Daniel Dahlkemper, 530 Seminole Drive, Erie 16505, 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 his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael C. Wood, Beach Lake, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF MEDICINE**

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, Dr. Sant Ram, 3126 Westwood Estates, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Medicine, to serve until December 10, 1995 or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joshua A. Perper, M.D., Pittsburgh, resigned.

THOMAS J. RIDGE
Governor

**BRIGADIER GENERAL, PENNSYLVANIA
NATIONAL GUARD**

April 19, 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, Colonel Eugene P. Klynoot, 6 Swatara Drive, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as Brigadier General, Pennsylvania Army National Guard, with assignment as Assistant Adjutant General, Headquarters State Area Command, to serve until terminated, vice Colonel Henry F. Coyne, reassignment.

THOMAS J. RIDGE
Governor

**BRIGADIER GENERAL, PENNSYLVANIA
NATIONAL GUARD**

April 19, 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, Colonel Larry G. Powell, R. D. #1, Lincoln Ridge Farm, Stoystown 15563, Somerset County, Thirty-second Senatorial District, for appointment as Brigadier General, Pennsylvania Army National Guard, with assignment as Deputy Commander, 28th Infantry Division (Mechanized), to serve until terminated, vice Brigadier General Walter L. Stewart, Jr., reassignment.

THOMAS J. RIDGE
Governor

ADJUTANT GENERAL

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, Brigadier General James W. Mac Vay, R. D. #2, Box 2123, Nicholson 18446, Wyoming County, Twentieth Senatorial District, for appointment as Adjutant General and Major General, Pennsylvania National Guard, to serve until the

third Tuesday of January 1999 and until his successor shall have been appointed and qualified, vice Major General Gerald T. Sajer, An-nville, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE**

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, Silvia M. Ferretti, D.O., 5406 Perkins Street, Erie 16509-1852, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

**COMMONWEALTH TRUSTEE OF THE
UNIVERSITY OF PITTSBURGH--
OF THE COMMONWEALTH 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, Thomas G. Bigley, 15 Old Timber Trail, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a Commonwealth Trustee of the University of Pittsburgh--of the Commonwealth System of Higher Education, to serve until October 5, 1998, and until his successor is appointed and qualified, vice Paul J. Chappano, Pittsburgh, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS**

April 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, Debra C. Blaschak, Esquire (Public Member), R. D. 2, Box 629, Ringtown 17967, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Elmer M. Santa, West Mifflin, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS**

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, James B. Flanigan (Public Member), 1309 Arrowmink Road, Villanova 19085, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve until June 18, 1997 or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Anthony R. Barone, Philadelphia, resigned.

THOMAS J. RIDGE
Governor

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

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, Peter J. Krysik (Public Member), R. D. #7, Box 107-C, Gibsonsia 15044, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, 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 Mary P. Portis, Esquire, Pittsburgh, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF SCOTLAND SCHOOL FOR
VETERANS' CHILDREN**

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, John C. Whitehead, 418 Grandview Boulevard, Bethlehem 18018, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Lois A. Waters, Esquire, Chambersburg, whose term expired.

THOMAS J. RIDGE
Governor

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

May 15, 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 T. Moran, Jr., R. D. 3, Jefferson Heights, Lake Ariel 18436, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Scranton State School for the Deaf, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

PENNSYLVANIA SECURITIES COMMISSION

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, A. Richard Gerber, Esquire, 5 Regency Circle, Penllyn 19422, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

PENNSYLVANIA SECURITIES COMMISSION

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, Robert M. Lam, 1336 Red Rambler Road, Rydal 19046, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

May 8, 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, Kenneth B. Blair, 113 Iron Bridge Road, Sarver 16055, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock 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 Margaret A. DeMucci, Butler, whose term expired.

THOMAS J. RIDGE
Governor

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

May 8, 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, Orvan B. Peterson, 216 Center Avenue, Butler 16001, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock 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 Joan T. Chew, Butler, whose term expired.

THOMAS J. RIDGE
Governor

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

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, Linda S. Fagenholz, M.D., 240 West 41st Street, Erie 16508, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dr. William R. Henwood, Sharon, whose term expired.

THOMAS J. RIDGE
Governor

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

May 15, 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, Paul R. Hoffer, 340 Rock Hill Road, Millersville 17551, 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 1997, and until his successor is appointed and qualified, vice H. Glenn Nelson, Lititz, whose term expired.

THOMAS J. RIDGE
Governor

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

May 15, 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, Stephen L. Ralston, 2240 Bob White Lane, 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 H. Byron Showers, Ed.D., Lancaster, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE 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, Rev. Dr. Roger Petersen, 228 South Walnut Street, Blairsville 15717, Indiana County, Forty-first Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Marc Alan Fry, Youngwood, resigned.

THOMAS J. RIDGE
Governor

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

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, Robert F. Childs, 31 Militia Hill Road, Warrington 18976, Bucks County, Tenth Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

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

May 15, 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, The Honorable J. Curtis Joyner, 1270 Upton Circle, West Chester, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester 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.

THOMAS J. RIDGE
Governor

MEMBER OF THE COUNCIL OF TRUSTEES
OF WEST CHESTER UNIVERSITY OF
PENNSYLVANIA OF THE STATE SYSTEM
OF HIGHER EDUCATION

May 19, 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, Johanna K. Havlick, White Horse Village, Newtown Square 19073, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 1997, and until her successor is appointed and qualified, vice James L. Larson, D.D.S., Devon, resigned.

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, Genevieve Mantini (Republican), 704 Fourth Avenue, Ford City 16226, 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 her successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE BERKS 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, Maria M. Garcia (Democrat), 3515 Oak Street, Laureldale 19605, Berks County, Eleventh Senatorial District, for appointment as a member of the Berks 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 CAMBRIA 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, John Klingensmith (Democrat), 48 Erie Street, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Cambria 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 CAMBRIA 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, Kimberly O'Malley (Republican), 218 Hawthorne Street, Johnstown 15904, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Cambria 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 CARBON 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, Francis Mongi (Republican), 229 West Bertsch Street, Lansford 18232, Carbon County, Twenty-ninth Senatorial District, for appointment as a member of the Carbon 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 CARBON 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, William C. Shirar (Republican), 160 Carnation Lane, Lehighton 18235, Carbon County, Twenty-ninth Senatorial District, for appointment as a member of the Carbon Coun-

ty 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 CHESTER 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, Rose Middleton (Republican), 1263 Long Eagle Road, Coatesville 19320, Chester County, Nineteenth Senatorial District, for appointment as a member of the Chester 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 CRAWFORD 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, Constance McIntyre (Republican), 812 West Central Avenue, Titusville 16354, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Crawford 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 ELK 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, Barbara A. Duffy (Republican), 357 Powers Avenue, Johnsonburg 15845, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the Elk 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 ELK 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, M. Twila Gleixner (Republican), 319 Benedict Street, St. Mary's 15857, Elk County, Twenty-fifth

Senatorial District, for appointment as a member of the Elk 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 ERIE 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, Joseph E. Podolsky (Republican), 426 Burkhart Avenue, Erie 16511, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie 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 FOREST 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, Audrey Joanne Roberts (Republican), 3 Aspen Lane, Marienville 16239, Forest County, Twenty-fifth Senatorial District, for appointment as a member of the Forest 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 FRANKLIN 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, Dave Boozer (Republican), 510 Overhill Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Franklin 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 STATE BOARD
OF EXAMINERS OF NURSING
HOME ADMINISTRATORS

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, William B. McIlwaine, Ed.D. (Public Member), 53 Brenner Street, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until May 6, 1995 or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dorothy Childress, Pittsburgh, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE GREENE 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, Lloyd A. Rohanna (Republican), R. D. #1, Box 103, Waynesburg 15370, Greene County, Forty-sixth Senatorial District, for appointment as a member of the Greene 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 GREENE 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, Rev. T. Dale Warren (Republican), 548 Race Street, Waynesburg 15370, Greene County, Forty-sixth Senatorial District, for appointment as a member of the Greene 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 INDIANA 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, Rev. Timothy R. Monroe (Republican), 106 Rt. 119, Home 15747, Indiana County, Forty-first Senatorial District, for appointment as a member of the Indiana 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 LEHIGH 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, Jay A. Scherline, Esquire (Republican), 4191 Winchester Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Lehigh 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 MCKEAN 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, William Moore (Democrat), 11 South Fourth Street, Bradford 16701, McKean County, Twenty-fifth Senatorial District, for appointment as a member of the McKean 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 MERCER 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, Karen Bombatch (Republican), Scrubgrass Road, Grove City 16127, Mercer County, Fiftieth Senatorial District, for appointment as a member of the Mercer 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 MERCER 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, Daniel W. Davis, Esquire (Republican), 526 Charleston Road, Sharpsville 16150, Mercer County, Fiftieth Senatorial District, for appointment as a member of the Mercer 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 PERRY 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, Clifford R. Sloppy (Republican), R. D. #2, Loysville 17047, Perry County, Thirty-first Senatorial District, for appointment as a member of the Perry 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 POTTER 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, Duane F. Dow (Republican), Turner Street, Austin 16720, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter 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 POTTER 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, Rev. Raymond Forsyth (Republican), 608 South East Street, Coudersport 16915, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter 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 POTTER 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, Edith M. Howard (Republican), Box 170, R. D. #2, Port Allegany 16743, Potter County, Twenty-fifth

Senatorial District, for appointment as a member of the Potter 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 POTTER 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, William Schweigart (Republican), Academy Street, Genesee 16923, Potter County, Twenty-fifth Senatorial District, for appointment as a member of the Potter 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, Robert Singer (Republican), R. D. #3, Box 278, 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 his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE SOMERSET 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, Harold M. Shaulis (Republican), R. D. #4, Box 90, Somerset 15501, Somerset County, Thirty-second Senatorial District, for appointment as a member of the Somerset 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 WARREN 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, TerryJane Chiaravalloti (Republican), 427 College Street, Youngsville 16371, Warren County, Twen-

ty-fifth Senatorial District, for appointment as a member of the Warren 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 WARREN 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, Martha L. Huey (Republican), 417 South State Street, North Warren 16365, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the Warren 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 WESTMORELAND 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, George Lynch, Esquire (Republican), 816 Spring Street, Latrobe 15650, Westmoreland County, Thirtieth Senatorial District, for appointment as a member of the Westmoreland 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 WESTMORELAND 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, Tay Waltenbaugh (Republican), 103 Bellfield Court, Greensburg 15601, Westmoreland County, Thirtieth Senatorial District, for appointment as a member of the Westmoreland 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

NOMINATIONS LAID ON THE TABLE

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

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

**UNFINISHED BUSINESS
REPORTS FROM COMMITTEE**

Senator BRIGHTBILL, from the Committee on Environmental Resources and Energy, reported the following bills:

HB 1400 (Pr. No. 2091) (Amended)

An Act creating the Department of Conservation and Natural Resources consisting of certain functions of the Department of Environmental Resources and the Department of Community Affairs; renaming the Department of Environmental Resources as the Department of Environmental Protection; defining the role of the Environmental Quality Board in the Department of Environmental Protection; making changes to responsibilities of the State Conservation Commission and the Department of Agriculture; transferring certain powers and duties to the Department of Health and Human Services; and repealing inconsistent acts.

HB 1639 (Pr. No. 1940)

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for an indemnity bond.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Randy Fasig by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence Edward Spade, Mr. and Mrs. Gordon R. Reidenbach, Mr. and Mrs. William G. Harris, Mr. and Mrs. Elmer H. Schweitzer, Mr. and Mrs. Charles F. Frey and to Ian Campbell by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Everett by Senator Bell.

Congratulations of the Senate were extended to Robert A. Messa by Senator Fumo.

Congratulations of the Senate were extended to Hector Santana Burbridge by Senator Hart.

Congratulations of the Senate were extended to Christopher B. Laubengeyer by Senator Heckler.

Congratulations of the Senate were extended to Jonathan D. Custer by Senator Holl.

Congratulations of the Senate were extended to Marie Elizabeth Sherman Hamilton by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. N. Dale Wakefield, Mr. and Mrs. John W. Stern, Mr. and Mrs. Gerald C. Schaeffer, Mr. and Mrs. Leon Crist, Mr. and Mrs. Willard W. Thomas, Mr. and Mrs. Matthew Villani, Mr. and Mrs. Charles Frederick George and to Mr. and Mrs. Frank Manna by Senator Jubelirer.

Congratulations of the Senate were extended to Sally N. Decker by Senator Kasunic.

Congratulations of the Senate were extended to Burton D. Brubaker by Senator LaValle.

Congratulations of the Senate were extended to Mr. and Mrs. Wallace Stettler, Reverend and Mrs. Dwight E. Giles, Sr., Sarah Lantzsch, Mae Gruver and to Reverend Charles F. Gommer, Jr., by Senator Lemmond.

Congratulations of the Senate were extended to Reverend Vincent B. Gallagher by Senator Loeper.

Congratulations of the Senate were extended to Mr. and Mrs. F. Bernard Foust, Mr. and Mrs. Bryce Sheffler, Brett Garrett Staggs and to Brent Michael Yaggi by Senator Madigan.

Congratulations of the Senate were extended to Manuel Gordon by Senators Mellow, Musto and Lemmond.

Congratulations of the Senate were extended to Leonard A. Green, David M. Thibeault, Peter J. Della-Croce, Jerry T. Fry and to the Mechanicsburg High School Class of 1945 by Senator Mowery.

Congratulations of the Senate were extended to Mildred R. Merry by Senator Peterson.

Congratulations of the Senate were extended to Mr. and Mrs. Edward S. Bruce and to Celeste Shapiola by Senator Porterfield.

Congratulations of the Senate were extended to Samuel H. Sheller II by Senator Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Owen, Mr. and Mrs. Dean J. Bradley and to the Werner Company of Greenville by Senator Robbins.

Congratulations of the Senate were extended to Jennie V. Fitzgerald by Senator Salvatore.

Congratulations of the Senate were extended to Reverend Dr. William T. Kennedy, Jr., by Senator Schwartz.

Congratulations of the Senate were extended to Reverend Harry M. Eberly by Senator Shumaker.

Congratulations of the Senate were extended to Mr. and Mrs. Homer Stubrich, Mr. and Mrs. Floyd Elkin, Mr. and Mrs. Paul Karns and to Mr. and Mrs. Chester Brown by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. A.D. Pilkington, Mr. and Mrs. Emil J. Faieta, Mr. and Mrs. Arley Anderson and to Mr. and Mrs. Robert Milliken by Senator Stout.

Congratulations of the Senate were extended to Adam Decker by Senator Uliana.

Congratulations of the Senate were extended to Troy D. Burkholder by Senator Wenger.

Congratulations of the Senate were extended to Lois Fernandez and to ODUNDE, Inc., by Senator Williams.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Dakota D. Gerhart by Senator Afflerbach.

Condolences of the Senate were extended to the family of the late George Elliott by Senator Jones.

BILLS ON FIRST CONSIDERATION

Senator SHAFFER. 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 190, HB 1238, HB 1400 and HB 1639.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 13, 1995

9:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on welfare reform)	Room 8E-A East Wing
10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 512, 777 and 831)	Room 461 Main Capitol
10:30 A.M.	INTERGOVERNMENTAL AFFAIRS (to consider Senate Resolution No. 26)	Room 461 Main Capitol
11:00 A.M.	BANKING AND INSURANCE (to consider Senate Bills No. 577 and 727; public hearing on Senate Bill No. 1047; and any other business that may come before the committee)	Room 461 Main Capitol
11:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider Special Session Senate Bill No. 103 and Senate Bill No. 1028; and House Bills No. 929 and 1154)	Majority Caucus Rm.
11:30 A.M.	JUDICIARY (to consider Special Session Senate Bills No. 83 and 100; Special Session House Bill No. 93; House Bill No. 215; and the nominations of Nicholas P. Muller and Sean R. Ryan to the PA Board of Probation and Parole and Mary Achilles as Victim Advocate)	Room 8E-B East Wing
12:45 P.M.	APPROPRIATIONS (to consider Senate Bills No. 31, 635, 771, 982 and 1098; and House Bills No. 1170, 1476, 1478 and 1480)	Rules Comm. Conf. Rm.
Off the Floor	COMMUNICATIONS AND HIGH TECHNOLOGY (to consider House Bill No. 961)	Rules Comm. Conf. Rm.

WEDNESDAY, JUNE 14, 1995

9:00 A.M.	FINANCE (to consider House Bill No. 1297; the reappointment of David C. Clipper, Board of Claims; and any other business that may come before the Committee)	Room 8E-B East Wing
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ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 13, 1995, immediately following the adjournment of the Special Session.

The motion was agreed to.

The Senate adjourned at 6:30 p.m., Eastern Daylight Saving Time.