

Legislative Journal

TUESDAY, MAY 13, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 32

SENATE

TUESDAY, May 13, 1997

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend DONALD KNAPP, of ACTS Leadership in Life, Lansdale, offered the following prayer:

I would just like to say before we pray together, it is my pleasure to be in your midst as guest of Senator Hank Salvatore, who has served the people of Pennsylvania for a quarter of a century. While no longer one of his constituents, we represent three lifecare communities, and on behalf of seniors everywhere in our State, we are grateful for this opportunity. We thank all of you for your recognition of the senior population.

Will you pray with me now.

Give me an open mind, O God, a mind ready to receive and welcome the discoveries of each new day, a mind that welcomes each new light of understanding and knowledge as it is Thy will to reveal it. Fill the minds of these twoscore and ten men and women with insights that are not merely evasions of things that need doing. May they sharpen one another, and by their endeavors produce legislation which will encourage our constituents in their daily toils. Lead them to a greater understanding of our State, our people, and their needs.

Grant, O Lord, that the past will never be so dear to us that it will blind us to the future or make us set a limit to change. Give us the courage to change our minds when that is needed. Help us to be tolerant toward the thoughts of others and hospitable to such light as may come to us through them. We need not strive to all speak the same thing, O Lord. Yet through our diversity may we be steadfast in seeking the same goals - the betterment of our State and the adequate care of its people. For the sincerity of these gathered, these Senators, for their efforts, their determination, their skill and prayers, reward them, we pray Thee, and may we feel rewarded by them.

So bless us today, we ask in Your loving name. Amen.

The PRESIDENT pro tempore. The Chair thanks Reverend Knapp, who is the guest today of Senator Salvatore of Philadelphia County.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 12, 1997.

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

GENERAL COMMUNICATION

ANNUAL REPORT TO THE GENERAL ASSEMBLY

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

COMMONWEALTH OF PENNSYLVANIA
Governor's Office
Room 207 Finance Building
Harrisburg, PA 17120

May 1, 1997

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Room 292, Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

The enclosed Annual Report to the General Assembly is forwarded to you in compliance with Act 225 of 1974. A copy has also been forwarded to the Honorable Matthew J. Ryan, Speaker of the House.

If you have any questions on the information included in the report, please contact me.

Sincerely,

THOMAS G. PAESE
Secretary of Administration

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

APPOINTMENT BY PRESIDENT PRO TEMPORE

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

Mr. Peter Capataides as a member of the Legislative Audit Advisory Commission.

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

The SECRETARY. Consent has been given for the Committee on State Government to meet during today's Session to consider House Bill No. 1027.

REPORTS FROM COMMITTEES

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

SB 392 (Pr. No. 406)

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, further providing for deputy secretaries of the Department of Transportation.

SB 516 (Pr. No. 545)

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

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 435 (Pr. No. 1102) (Amended)

An Act requiring that, when motor vehicles are serviced or repaired, any parts replaced must be returned upon request, and providing penalties for noncompliance.

SB 492 (Pr. No. 1103) (Amended)

An Act providing for real estate broker liens in the amount of compensation due for services rendered by the broker in connection with certain real estate transactions.

SB 763 (Pr. No. 819)

An Act relating to the rights of purchasers and lessees of defective new motor vehicles; creating a motor vehicle arbitration board; imposing obligations, duties of refund and replacement; making an appropriation; and making a repeal.

HB 383 (Pr. No. 1195)

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," providing for creation of the Office of Hearing Examiner and appointment of hearing examiners; further providing for powers and duties of boards and commissions within the Bureau of Professional and Occupational Affairs; and providing for disciplinary proceedings and hearings and for prior rules and regulations.

Senator MOWERY, from the Committee on Public Health and Welfare, reported the following bills:

SB 133 (Pr. No. 130)

An Act amending the act of June 29, 1953 (P.L.304, No.66), entitled Vital Statistics Law of 1953, further providing for local registrars' fees.

HB 385 (Pr. No. 428)

An Act repealing certain provisions relating to premarital tests.

HB 679 (Pr. No. 1802) (Amended)

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, adding a definition; providing for the commitment of minors; and further providing for financial obligation.

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

SB 363 (Pr. No. 372)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the duty of a judgment creditor to enter satisfaction.

SB 901 (Pr. No. 1101) (Amended)

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for wiretapping and electronic surveillance and for windshield obstructions.

SB 959 (Pr. No. 1055)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of court costs, restitution and fines by private collection agency.

SB 969 (Pr. No. 1080)

An Act establishing the Special Independent Prosecutor's Panel and providing for its powers and duties; and providing for special investigative counsel and for independent counsel.

HB 41 (Pr. No. 846)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for facsimile bombs.

HB 1065 (Pr. No. 1190)

An Act amending the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, further providing for training requirement, for the Deputy Sheriffs' Education and Training Board and for the Deputy Sheriffs' Education and Training Account.

Senator LEMMOND, from the Committee on State Government, reported the following bills:

SB 5 (Pr. No. 1100) (Amended)

An Act amending Titles 62 (Procurement), 1 (General Provisions) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding provisions relating to procurement; and making repeals.

SB 573 (Pr. No. 602)

An Act selecting and designating the square dance as the official American folk dance of this Commonwealth.

SB 980 (Pr. No. 1089)

An Act amending the act of December 13, 1982 (P.L.1127, No.257), entitled Commonwealth Agency Adjudicatory Expenses Award Law, by repealing the sunset provisions.

HB 171 (Pr. No. 754)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

Senator MADIGAN, from the Committee on Environmental Resources and Energy, reported the following bill:

HB 798 (Pr. No. 1065)

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for definitions, for duties of the Secretary of Labor and Industry, for work experience projects, for program eligibility, for compensation and for supervisors; providing for volunteers; and further providing for annual reports, for appropriations, for funding and for expiration.

RESOLUTION REPORTED FROM COMMITTEE

Senator MADIGAN, from the Committee on Environmental Resources and Energy, reported the following resolution:

SR 29 (Pr. No. 720)

A Concurrent Resolution directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to study the issues concerning the renewal and management of this Commonwealth's forests; and creating a task force.

The PRESIDENT pro tempore. The resolution will be placed on the Calendar.

DISCHARGE PETITIONS

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

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Fritz Bittenbender, as a member of the Cheyney University Board of Trustees.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Fritz Bittenbender, as a member of the Cheyney University Board of Trustees, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Percy O. Kephart, Jr., as Clearfield County Controller.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Percy O. Kephart, Jr., as Clearfield County Controller, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Richard A. Kelley, as Centre County Coroner.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Richard A. Kelley, as Centre County Coroner, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Jill Asher, as a member of the State Board of Cosmetology.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Lauren P. Argenio, D.O., as a member of the Pennsylvania Drug, Device and Cosmetic Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Lauren P. Argenio, D.O., as a member of the Pennsylvania Drug, Device and Cosmetic Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Mark Navarro, as a member of the Pennsylvania Drug, Device and Cosmetic Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Mark Navarro, as a member of the Pennsylvania Drug, Device and Cosmetic Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Arlene Snyder, as a member of the Pennsylvania Drug, Device and Cosmetic Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Arlene Snyder, as a member of the Pennsylvania Drug, Device and Cosmetic Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Nolan Kurtz, as a member of the State Board of Education.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Nolan Kurtz, as a member

of the State Board of Education, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Paula Vitz, as a member of the Environmental Hearing Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Paula Vitz, as a member of the Environmental Hearing Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Angelo Mazzanti, as a member of the Pennsylvania Game Commission.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Donna Kriner, as a member of the Pennsylvania Industrial Authority.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow

Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of William J. Ober, Esq., as Judge, Court of Common Pleas, Westmoreland County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of William J. Ober, Esq., as Judge, Court of Common Pleas, Westmoreland County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Carolyn Angelo, as Judge, Court of Common Pleas, York County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Carolyn Angelo, as Judge, Court of Common Pleas, York County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Gregory Dunlap, Esq., as Judge, Superior Court of Pennsylvania.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Gregory Dunlap, Esq., as Judge, Superior Court of Pennsylvania, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Richard L. Orwig, Esq., as a member of the Kutztown University Board of Trustees.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Richard L. Orwig, Esq., as a member of the Kutztown University Board of Trustees, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Domenick Argento, as a member of the Pennsylvania Minority Business Development Authority.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Domenick Argento, as a member of the Pennsylvania Minority Business Development Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Fritz Bittenbender, as a member of the Pennsylvania Minority Business Development Authority.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Fritz Bittenbender, as a member of the Pennsylvania Minority Business Development Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Marilyn Striano, as a member of the Pennsylvania Minority Business Development Authority.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Marilyn Striano, as a member of the Pennsylvania Minority Business Development Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Donna Kriner, as a member of the State Board of Optometry.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Valerie Smith, as a member of the State Board of Physical Therapy.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Mark Navarro, as a member of the State Planning Board.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Valerie Smith, as a member of the State Planning Board.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Honorable Thomas R. Dobson, as a member of the Probation, Advisory Committee.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Honorable Thomas R. Dobson, as a member of the Probation, Advisory Committee, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Domenick Argento, as a member of the Professional Standards and Practices Commission.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Domenick Argento, as a member of the Professional Standards and Practices Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Marilyn Striano, as a member of the State Board of Psychology.

TO: The President Officer of the Senate:

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

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Shirley A. Burket, as Register of Wills, Recorder of Deeds, Blair County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Shirley A. Burket, as Register of Wills, Recorder of Deeds, Blair County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Paula Vitz, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Paula Vitz, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Dorothy A. Walker, as a member of the Clinton County Board of Assistance.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Dorothy A. Walker, as a member of the Clinton County Board of Assistance, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Ann DiTullio, as District Justice, Erie County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Ann DiTullio, as District Justice, Erie County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Fritz Bittenbender, as District Justice, Fayette County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Fritz Bittenbender, as District Justice, Fayette County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Elisabeth Baker, as District Justice, Lackawanna County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Elisabeth Baker, as District Justice, Lackawanna County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Diane S. Ciabattoni, as District Justice, Westmoreland County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Diane Ciabattoni, as District Justice, Westmoreland County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

In the Senate, May 13, 1997

A PETITION

To place before the Senate the nomination of Elisabeth Baker, as District Justice, Wyoming County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8(b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Elisabeth Baker, as District Justice, Wyoming County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Patrick J. Stapleton

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

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request a legislative leave for today's Session on behalf of Senator Helfrick.

The PRESIDENT pro tempore. Senator Loeper requests a legislative leave for Senator Helfrick. Without objection, that leave will be granted.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a legislative leave for Senator Williams.

The PRESIDENT pro tempore. Senator Mellow requests a legislative leave for Senator Williams. Without objection, that leave is granted.

LEAVE OF ABSENCE

Senator MELLOW asked and obtained leave of absence for Senator O'PAKE, for today's Session, for personal reasons.

CALENDAR

THIRD CONSIDERATION CALENDAR

SB 726 CALLED UP OUT OF ORDER

SB 726 (Pr. No. 1088) -- Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 726 (Pr. No. 1088) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a section of Legislative Route 48 in Allegheny County as the Leonard A. Funk, Jr. Highway.

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:

YEA-49

Afflerbach	Hart	Mellow	Tartaglione
Armstrong	Heckler	Mowery	Thompson
Belan	Helfrick	Murphy	Tilghman
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	Piccola	Uliana
Brightbill	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earll	La Valle	Schwartz	Wozniak
Fumo	Lemmond	Slocum	
Gerlach	Loeper	Stapleton	
Greenleaf	Madigan	Stout	

NAY-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.

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

SPECIAL ORDER OF BUSINESS**GUESTS OF SENATOR GIBSON E.****ARMSTRONG PRESENTED TO THE SENATE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Mr. President, I would like to introduce some close friends of mine. In the gallery we have Glenn and Kathy Robinson. Glenn is the basketball coach at Franklin and Marshall, and he is probably the most winning coach in the United States. With him is his wife, Kathy, who is also a friend of ours, my wife and I, and she writes books. With them are their children, Carolyn, their daughter, and Winn. Winn is the reason they are here, because they are celebrating Winn's 15th birthday. So would the Senate give them its usual welcome.

The PRESIDING OFFICER. Would the guests of Senator Armstrong who are in the gallery please rise so that the Senate can give you its traditional warm welcome.

(Applause.)

GUESTS OF SENATOR ROBERT M.**TOMLINSON PRESENTED TO THE SENATE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, today joining us in the Capitol for a tour and to observe government in action is the fifth grade class from St. Ephrem School in Bensalem, along with their teachers and parents. Would the Senate please welcome the class from St. Ephrem today.

The PRESIDING OFFICER. Would the guests of Senator Tomlinson please rise.

(Applause.)

**GUESTS OF SENATOR ROY C.
AFFLERBACH PRESENTED TO THE SENATE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Afflerbach.

Senator AFFLERBACH. Mr. President, also in the gallery joining us today are Mary Nothelfer, her daughter, Amy Nothelfer, and Rose Schlenner. These individuals are strong supporters of the March of Dimes in the Lehigh Valley, and in fact they were the high bidders at an auction for the opportunity to visit here today and learn about the Pennsylvania Senate.

I should also note that Amy has just finished an internship in the Washington State Senate, and she is, to a degree, comparing the process of that institution to this institution. One thing she did note to me was that the Washington State Senate meets only 60 days in even-numbered years and only 105 days in odd-numbered years. She believes that this institution does much better because, frankly, there is just not sufficient time to adequately consider legislation, hold hearings, and catch up with changes in Washington with the abbreviated schedule. So I think it is probably the best argument we have heard in a long time for the lengthier schedule of the Pennsylvania Senate.

May we give a warm welcome to our guests from the Lehigh Valley.

The PRESIDING OFFICER. Would the guests of Senator Afflerbach please rise.

(Applause.)

The PRESIDING OFFICER. We hope that we compare favorably.

THIRD CONSIDERATION CALENDAR RESUMED**HB 148 CALLED UP OUT OF ORDER**

HB 148 (Pr. No. 1795) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator LOEPER.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, could the Senate be at ease for a moment.

The PRESIDING OFFICER. We will stand at ease.

(The Senate was at ease.)

REQUEST TEMPORARILY WITHDRAWN

Senator LOEPER. Mr. President, I would temporarily withdraw my request to consider House Bill No. 148 and instead I would begin with page 1 of today's Calendar.

BILL OVER IN ORDER

HB 90 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 132 (Pr. No. 1589) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, adding certain definitions; further providing for reporting, for investigations and for reporting suspected abuse by employees.

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

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, I request temporary Capitol leaves on behalf of Senator Jubelirer, Senator Piccola, and Senator Wenger.

The PRESIDING OFFICER. Senator Loeper requests temporary Capitol leaves for Senator Jubelirer, Senator Piccola, and Senator Wenger. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Lehigh, Senator Afflerbach.

Senator AFFLERBACH. Mr. President, I request temporary Capitol leaves for Senator Bodack, Senator Fumo, and Senator Wozniak.

The PRESIDING OFFICER. Senator Afflerbach requests temporary Capitol leaves for Senator Bodack, Senator Fumo, and Senator Wozniak. Without objection, those leaves will be granted.

And the question recurring,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, just very briefly on House Bill No. 132, I rise in support of this legislation, and I am pleased to see it finally come before us. Representative Vance has worked for quite some time on this legislation, and I appreciate the opportunity for input and to work with the administration to make some fairly significant changes to improve the bill and the possibility of protecting employees from any reports they might make, particularly given that we have 700 seniors visiting us today. They are very active seniors and they fortunately are not the ones in nursing homes at this point, but they may well have relatives in nursing homes and, obviously, someone of any age can be in a nursing home, but particularly for our seniors or elderly who are in a nursing home, this bill will do much to protect them. Making sure we receive reports of abuse and neglect in institutions is important. Given that they are here today, I hope they will take note of

some important and good legislation that we are passing today in the Senate.

So I rise in support of House Bill No. 132, and subsequently we will be dealing with House Bill No. 133, which is important as well.

Thank you, Mr. President.

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

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

The PRESIDING OFFICER. Without objection, Senator Tilghman's temporary Capitol leave will be granted.

The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, I request a temporary Capitol leave for Senator Costa, who was called to his office.

The PRESIDING OFFICER. Senator Costa has been called to his office. Without objection, a temporary Capitol leave is granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Afflerbach	Hart	Mellow	Tartaglione
Armstrong	Heckler	Mowery	Thompson
Belan	Helfrick	Murphy	Tilghman
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	Piccola	Uhiana
Brightbill	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earll	LaValle	Schwartz	Wozniak
Fumo	Lemmond	Slocum	
Gerlach	Loeper	Stapleton	
Greenleaf	Madigan	Stout	

NAY-0

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

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

HB 133 (Pr. No. 948) -- The Senate proceeded to consideration of the bill, entitled:

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

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:

YEA-49

Afflerbach	Hart	Mellow	Tartaglione
Armstrong	Heckler	Mowery	Thompson
Belan	Helfrick	Murphy	Tilghman
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	Piccola	Uliana
Brightbill	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earll	LaValle	Schwartz	Wozniak
Fumo	Lemmond	Slocum	
Gerlach	Loeper	Stapleton	
Greenleaf	Madigan	Stout	

NAY-0

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

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

BILL OVER IN ORDER TEMPORARILY

HB 148 -- Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 182 (Pr. No. 948) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), entitled Unfair Trade Practices and Consumer Protection Law, providing protection for dog purchaser; imposing duties on the Attorney General; and providing for records and for penalties.

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 PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, the measure before the Senate is one that is needed in Pennsylvania to provide reasonable consumer protections to dog buyers and to discourage the proliferation of unhealthy puppies in our Commonwealth.

This is a piece of legislation that has passed the Senate four times, has passed the House two times, and has passed numerous committees in both the House and the Senate, although unfortunately not all at one time in the same legislation. I am

hopeful that this year this bill will pass and become law. It is a bill that has been worked on for over 8 years, and I believe that it is a moderate piece of legislation. It is similar to legislation in 13 other States or laws now on the books, and it would protect consumers from buying unhealthy puppies. It would give them consumer protection and consumer rights, and ultimately I believe that it will clear up the puppy mill problem in Pennsylvania by making it economically unattractive to people to engage in this type of activity, to breed and sell puppies that have not been properly cared for, not properly bred, and not properly cared for medically.

The legislation is supported by the Pennsylvania Federation of Dog Clubs, the Pennsylvania Veterinary Medical Association, the Pennsylvania Legislative Animal Network, Pennsylvania Kennel Club, Humane Society of the United States, the Federated Humane Societies of Pennsylvania, and other numerous individuals involved in the welfare of animals, particularly dogs, in the Commonwealth of Pennsylvania. And for the consumers of Pennsylvania who have been victimized by this process, who have purchased dogs in Pennsylvania and then spent hundreds, sometimes thousands, of dollars trying to have their family pet cared for and cured, many times to their inability to do that, I think it is important for us to pass this legislation to provide the consumer protections that are necessary for this type of practice.

Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Venango, Senator White.

Senator WHITE. Mr. President, I would like to rise in support of this legislation. My family had the unfortunate experience of buying a pedigreed basset hound puppy who at age 6 months went blind. She was already part of our family. We found out then that there were such things as doggie ophthalmologists and doggie neurologists and, frankly, we had the resources and would have done whatever it took to keep her alive and restore her sight. It turned out that Maggie had a brain tumor.

When the breeder who had bred this animal found out about the situation, they immediately insisted upon replacing that basset hound puppy free of charge and would not even permit us to pay the vet bills. This is what responsible breeders do. This is what responsible people do who are in the business of loving the breeds that they deal with. It is only the other part of the business, the ugly side of people who simply make money, who do not care about these animals and do not care about the well-being of the families who adopt them.

We are not talking here about animals that we are raising for food or for farm purposes. We are talking about animals that are going to become part of people's families. People care deeply about it. If you have ever been fortunate enough to have a dog that you love, you know the bonds that are created. We are simply asking here that the people who sell these animals behave responsibly. We were lucky that the people we dealt with did, but many, many people in Pennsylvania do not. We have the unfortunate reputation of being a puppy mill State, and it is time we stop that for everyone who loves dogs.

Thank you.

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:

YEA-49

Afflerbach	Hart	Mellow	Tartaglione
Armstrong	Heckler	Mowery	Thompson
Belan	Helfrick	Murphy	Tilghman
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	Piccola	Uliana
Brightbill	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earl	LaValle	Schwartz	Wozniak
Fumo	Lemmond	Slocum	
Gerlach	Loeper	Stapleton	
Greenleaf	Madigan	Stout	

NAY-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.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator SALVATORE,

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

March 25, 1997

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, Andrew B. Zelenkofske, Esquire, 1868 Nicole Drive, Dresher 19025, Montgomery County, Twelfth Senatorial District, for appointment as a member of the State Board of Accountancy, 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 Steven J. Shotz, Melrose Park, whose term expired.

THOMAS J. RIDGE
Governor

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

March 25, 1997

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, Aaron A. Walton, 4283 Forest Glen Drive, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice The Honorable Frank R. Mascara, Charleroi, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA CANCER
CONTROL, PREVENTION AND RESEARCH
ADVISORY BOARD**

March 26, 1997

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 D. Robinson, 292 Heather Drive, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified, vice Nancy L. Bohnet, Pittsburgh, whose term expired.

THOMAS J. RIDGE
Governor

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

March 26, 1997

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 E. Gaudi, 302 Sarah Court, Jeannette 15644, Westmoreland County, Thirty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

March 25, 1997

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 C. Shields, 2030 Piper Court, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Edwin D. Dombrowski, Erie, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
HAVERFORD STATE HOSPITAL

March 17, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary Ann Arty, 527 Lehann Circle, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the Board of Trustees of Haverford State Hospital, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

March 18, 1997

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 B. Hagen, 5727 Grubb Road, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2000, and until his successor is appointed and qualified, vice J. Roger Glunt, Pittsburgh, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA

March 26, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David Osikowicz, 901 East Mahoning Street, Punxsutawney 15767, Jefferson County, Forty-first Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Robert S. Dougherty, Esquire, Indiana, whose term expired.

THOMAS J. RIDGE
Governor

BRIGADIER GENERAL, PENNSYLVANIA
NATIONAL GUARD

March 7, 1997

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 James F. Barnette, 201 Walnut Drive, Queenstown, Maryland 21658, for appointment as Brigadier General, Chief of Staff, Headquarters, Pennsylvania Air National Guard, to serve until terminated.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF NURSING

April 3, 1997

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, K. Stephen Anderson, 1442 Beibel Avenue, Erie 16509, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Sister Rita Moriarty, Williamsport, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

February 26, 1997

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, Irene B. Smerick, 1816 East Fourth Street, Erie 16511, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

April 22, 1997

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 M. Brinjac, 67 South Terrace, Wormleysburg 17043, Cumberland County, Thirty-first Senatorial District, for reappointment 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 his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

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

February 20, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary Ann Nobers, Ph.D., 16 South 21st Street, Harrisburg 17104, Dauphin County, Fifteenth 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 her successor is appointed and qualified, vice Virginia L. James, Philadelphia, whose term expired.

THOMAS J. RIDGE Governor

MEMBER OF THE STATE BOARD OF VETERINARY MEDICINE

March 25, 1997

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, Brian Harpster, V.M.D., 628 Aspen Lane, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Eugene Witiak, V.M.D., Bethlehem, whose term expired.

THOMAS J. RIDGE Governor

On the question, Will the Senate advise and consent to the nominations?

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

YEA-49

Table with 4 columns of names: Afflerbach, Armstrong, Belan, Bell, Bodack, Brightbill, Corman, Costa, Delp, Earll, Fumo, Gerlach, Greenleaf, Hart, Heckler, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Loeper, Madigan, Mellow, Mowery, Murphy, Musto, Piccola, Punt, Rhoades, Robbins, Salvatore, Schwartz, Slocum, Stapleton, Stout, Tartaglione, Thompson, Tilghman, Tomlinson, Uliana, Wagner, Wenger, White, Williams, Wozniak

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 211, SB 251, SB 420, SB 421, SB 428 and SB 640 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 968 (Pr. No. 1077) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," providing for the members of the Legislative Data Processing Committee and for access to legislative information within computer information systems by persons outside the General Assembly.

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:

YEA-49

Table with 4 columns of names: Afflerbach, Armstrong, Belan, Bell, Bodack, Brightbill, Corman, Costa, Delp, Earll, Fumo, Gerlach, Greenleaf, Hart, Heckler, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Loeper, Madigan, Mellow, Mowery, Murphy, Musto, Piccola, Punt, Rhoades, Robbins, Salvatore, Schwartz, Slocum, Stapleton, Stout, Tartaglione, Thompson, Tilghman, Tomlinson, Uliana, Wagner, Wenger, White, Williams, Wozniak

NAY-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.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 848 (Pr. No. 1786) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

HB 849 (Pr. No. 951) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

HB 77 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

HB 87 (Pr. No. 1772) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for presigned waiver of extradition; and further providing for post conviction relief.

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

SB 114 (Pr. No. 111) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 11, 1968 (P.L.149, No.84), entitled, as amended, Volunteer Firefighters' Relief Association Act, providing for volunteer firefighters' money purchase deferred benefit plans.

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

SB 254 (Pr. No. 255) -- 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 attorney fees.

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

HB 479 (Pr. No. 1344) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for assessment of tapping fees; and further providing for contracts.

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

BILLS OVER IN ORDER

SB 489, SB 506, SB 509, SB 510, SB 512, SB 538, SB 539, SB 540, SB 541, SB 542, SB 631, SB 669, SB 861, SB

862 and SB 864 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 875 (Pr. No. 1028) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the regulation of health insurance practices.

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

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, at this time I request a brief recess of the Senate for the purpose of a meeting of the Committee on State Government to be held off the floor in the Rules room at the rear of the Senate Chamber.

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on State Government, which will be held in the Rules room at the rear of the Chamber, the Senate will stand in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR VINCENT J. HUGHES PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I want to take a special moment to ask my colleagues if they would acknowledge a very special program that is operating in my district and a number of districts throughout the city of Philadelphia. In the balcony there are about 20 young people ranging in age from 8 to 17 who are part of the NASA Space Camp and Curriculum Program. They are wearing the beautiful white jackets which you will get the opportunity to see.

They are principally found at the Guion Bluford Elementary School, but we also have young people here from Beaver Middle School, Penrose Elementary School, Monsignor Bonner, the Henry School, and Benjamin Franklin High School. We have our teacher and the head of the program, Ms. Jacquelyn Kelley; Yvonne Richardson, who is a teacher at Bluford; Gregory Winn, who is a volunteer and a man of Bluford; and we have Everline Reid-Smith, who is a teacher at Bluford and who is also, by the way, the president of the Willingboro, New Jersey, school board and is teaching in Philadelphia. And we also have Denise Godwin, who is a teacher at Bluford and whose husband I used to beat up in basketball when we were in high school many years ago.

This is a very special program, Mr. President. These young people will be traveling to Titusville, Florida, to spend from

June 3 to June 6 at the national NASA Space Program in Titusville, Florida, and they are doing a wonderful job and are really an indication that when you have true investment in young people, stretching them beyond what the traditional approach to education would be, you get marvelous results. These young people are focusing on space and technology and taking everything out of that and spreading it around their community.

I would like my colleagues in the Senate to give them a very warm welcome from the Senate of Pennsylvania.

The PRESIDING OFFICER. Would the guests of Senator Hughes please rise.

(Applause.)

Senator HUGHES. Mr. President, one more comment, please.

The PRESIDING OFFICER. The Chair was going to inquire as to who had the real proficiency in basketball, but go ahead.

Senator HUGHES. Mr. President, in this case, as a Senator, I did.

I also have to acknowledge another teacher, Mr. President, who is here with the program, Ms. Margaret Rose Bryant-Renwick.

The PRESIDING OFFICER. Margaret.

(Applause.)

LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Wenger, Senator Tilghman, and Senator Wozniak are on the floor, and their temporary Capitol leaves are cancelled.

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 965 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

HB 148 CALLED UP

HB 148 (Pr. No. 1795) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator LOEPER.

BILL OVER IN ORDER

HB 148 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

UNFINISHED BUSINESS REPORT FROM COMMITTEE

Senator LEMMOND, from the Committee on State Government, reported the following bill:

HB 1027 (Pr. No. 1132)

An Act prohibiting certain fees for the use of State property for the purpose of making commercial motion pictures.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Lucent Technologies of Allentown by Senator Afflerbach and others.

Congratulations of the Senate were extended to Dawn Murphy by Senator Bodack.

Congratulations of the Senate were extended to Jonathan Mark Burkhart by Senator Delp.

Congratulations of the Senate were extended to Ryan Buterbaugh by Senator Hart.

Congratulations of the Senate were extended to Jonathan E. Belding by Senator Heckler.

Congratulations of the Senate were extended to Mr. and Mrs. John G. Griebel, Mr. and Mrs. Kenneth Irvin, Mr. and Mrs. William Keim, Mr. and Mrs. Edward Mills and to Mr. and Mrs. Doyle Myron Watkins by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Nelson by Senator Kasunic.

Congratulations of the Senate were extended to Deacon Willie Burkett, Sr., Deaconess Grace Burkett and to USS Hughes, DD410, Reunion Association by Senator Kitchen.

Congratulations of the Senate were extended to Timothy John Golding and to Christoffer John Sepelak by Senator Kukovich.

Congratulations of the Senate were extended to Mr. and Mrs. Eugene Sihler, Bruce Lefferts and to Francis J. Stenz by Senator Loeper.

Congratulations of the Senate were extended to Wetona United Methodist Church by Senator Madigan.

Congratulations of the Senate were extended to Michael Bellantoni and to Sister M. Vianney Potopa by Senator Mellow.

Congratulations of the Senate were extended to Sam Falcone and to Anna K. Misiolok by Senator Musto.

Congratulations of the Senate were extended to the Mid-dletown Area Bible Church by Senator Piccola.

Congratulations of the Senate were extended to Dignity Housing of Philadelphia by Senator Schwartz.

Congratulations of the Senate were extended to Edwin M. Krug and to Stephen Williams by Senator Uliana.

Congratulations of the Senate were extended to Saint Francis College by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

Senator WENGER. 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 5, SB 133, SB 363, SB 392, SB 435, SB 492, SB 516, SB 573, SB 763, SB 901, SB 959, SB 969, SB 980, HB 41, HB 171, HB 383, HB 385, HB 679, HB 798, HB 1027 and HB 1065.

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

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I would just like to make a few observations about legislation that was passed earlier in the day during Session. It deals with Senate Bill No. 968. And I make these observations, Mr. President, because there have been many Members of this body who have been totally committed to openness in government and trying to open the legislative process.

For example, when I had the opportunity for a relatively short period of time to serve as President pro tempore of the Senate, one of the first things that we were able to do was offer a resolution to open our Session to television coverage, and PCN has taken that particular resolution and they have moved it to a different level by being able to not only televise on a delayed broadcast the Sessions, but also, when we have an issue of great importance and great sensitivity, the Pennsylvania Cable Network has been able to do it on a live telecast, which makes it very important.

Following that, Mr. President, we had Senate Bill No. 65 in the Session of 1993-94, and Senate Bill No. 65 opened the public comment time on local government meetings. What it meant was that during local government meetings, whether they be municipal, school board, or whatever, that there was an opportunity for the public to make a comment during the course of that meeting, which really meant that if the news media was interested in trying to ask some questions during the agenda, they would have the opportunity to do that.

And then, Mr. President, on February 12 of this year, I introduced Senate Bill No. 472. Quite honestly, I was not the original sponsor of Senate Bill No. 472. It was sponsored in a previous Session by an individual who is no longer a member of the Senate. And in introducing Senate Bill No. 472, what we wanted to do was have the information that is being gathered and distributed through the Legislative Data Processing Center made available to the people of Pennsylvania who have computer capability to tap into the LDP to find out what information and what things are taking place right now in Harrisburg, and I thought that was an excellent way to continue to open up government. We tried just through discussion and then through a letter to have Senate Bill No. 472 considered, and I can understand that because of the constraints put on the General Assembly by the budget and other things that we were dealing with that we had to wait for some time before we had some consideration on the openness of government and the opening of the records of the LDP.

Mr. President, on May 6, which is just a little over a week ago, Senate Bill No. 968 was introduced by a Member of the Majority Party. Senate Bill No. 968 was also a bill that would open up the records of the Legislative Data Processing Center but would do it in a whole different way. It would open up the records by adding another layer of bureaucracy before those

records would be opened by saying that in the Senate the openness must go through the Committee On Management Operations, which is a committee of the Members of the leadership on both sides of the aisle, and over in the House of Representatives the Bipartisan Management Committee that is responsible for writing the rules of the operations of the House of Representatives.

My problem, Mr. President, is that Senate Bill No. 472 is a very important piece of legislation. It had bipartisan support. It did not mandate that we had to go through another layer of bureaucracy by stating that the Committee On Management Operations in the Senate and the Bipartisan Management Committee in the House would have to say exactly what is and what is not open to the public. Furthermore, Mr. President, it is complicated by the fact that I did put the bill in on February 12. It is an important bill for opening up the process. The bill never was considered. I do not want to accuse anyone in this body of plagiarism. However, part of the bill that was important was basically introduced by a Member of the Senate after I did, several months after I did, and that bill was fast-tracked and was passed today by a vote of 49 to 0.

I wish the bill went further. It does not go far enough as far as opening up government. It is a good first step with regard to what is taking place with the Legislative Data Processing Center, Mr. President, but, unfortunately, the bill that was introduced by, as I said, a Republican Member of the Senate and passed by the Senate has, by and large, all of the ideas that I put in with one exception, and I am sorry that we did not have the opportunity to deal with Senate Bill No. 472.

I would only hope in the future, and I am talking here hopefully inasmuch on a bipartisan basis as possible, that there is no one person in this Chamber who has a monopoly on opening up government to the people of Pennsylvania. We are only here, the 50 Members of this Senate who represent approximately 240,000 people, we are only here to hold in trust an office to the people who elect us, and as long as we are doing the job that we have been elected to do and as long as our constituency is happy with the service we have been giving them, then we deserve to be reelected. But openness in government is very, very important and it is paramount so that people we represent and the people who do not have the opportunity of being here in Harrisburg on a daily basis and do not have the opportunity of having their interests represented by a lobbyist, but having their interest being represented by an elected Member of this body, then we should be giving them exactly what they want, and they want openness in government, and it is very important, Mr. President, that we do that.

Senate Bill No. 472 would have gone way beyond what Senate Bill No. 968 will do. Senate Bill No. 968 passed earlier today with a vote of 49 to 0 and I am happy that did take place, but I am sad about the fact, Mr. President, that Senate Bill No. 472, the bill that I introduced, was not considered by the body. It does go much further than Senate Bill No. 968, and perhaps the House of Representatives, in their deliberations of making the information from the Legislative Data Processing Center available to the 12 million people of Pennsylvania, will take a look at Senate Bill No. 472 and perhaps insert some

of the important measures in there so that immediately upon the passage of the bill to open up additional information to the people of Pennsylvania it will not have to then go through a committee that does not report to anyone, that is controlled, quite honestly, by the Majority party in the Senate. There are Democratic Members on the committee, but it is controlled by the Members of the Majority party of the Senate and it is not open to public scrutiny. The meetings that are held by COMO are not open to the news media or the public.

So having said this, Mr. President, I am happy that Senate Bill No. 968 did pass. I am not happy with the procedure that was followed. I think it is unfortunate that we take bills that other Members introduce and we then put our name on the bill, and because we control the committee structure, Members control the committee structure here and the way Calendars are established, we then can have our bill considered. Nevertheless, Mr. President, I am glad that Senate Bill No. 968 was considered and did pass.

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 14, 1997

10:00 A.M.

LAW AND JUSTICE (public hearing on underage drinking, alcohol abuse and the Ridge Administration's proposal to privatize the State Stores)

Dean's Hall 2
The Penn State
Conference
Center Hotel
21 Innovation
Boulevard.
State College
(formerly the
Penn State
Scanticon)

BILLS REREFERRED

Upon motion of Senator LOEPER, and agreed to, the following bills were rereferred to the Committee on Appropriations:

SB 516, SB 980, HB 171, HB 798 and HB 1027.

SENATE AT EASE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, I request at this time that the Senate be at ease. For the information of the Members, there are no further votes scheduled for today's Session. We are awaiting a bill to come back from the House of Representatives for signature.

The PRESIDING OFFICER. The Senate will stand at ease. (The Senate was at ease.)

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, at this time I request a recess of the Senate to the call of the President pro tempore.

The PRESIDING OFFICER. It has been moved by Senator Loeper that the Senate recess to the call of the President pro tempore.

The motion was agreed to.

The PRESIDING OFFICER. The Senate will stand in recess to the call of the President pro tempore.

AFTER RECESS

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

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION 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:

SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT

May 13, 1997

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, Samuel A. McCullough, Old Lauer's Lane, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 1999 and until his successor shall have been appointed and qualified, vice The Honorable Thomas B. Hagen, Erie, resigned.

THOMAS J. RIDGE
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 329**.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Recess adjournment.

BILL SIGNED

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

HB 329.

RECONSIDERATION OF HB 854**BILL ON CONCURRENCE IN HOUSE AMENDMENT**

HB 854 (Pr. No. 1753) — Senator ROBBINS. Mr. President, I move that the vote by which the Senate concurred in House amendments to Senate amendments to House Bill 854 be reconsidered.

The motion was agreed to.

BILL RECOMMITTED

Senator ROBBINS. Mr. President, I move that House Bill No. 854, as amended, be recommitted to the Committee on Rules and Executive Nominations.

The motion was agreed to.

The PRESIDENT. House Bill No. 854, as amended, will be recommitted to the Committee on Rules and Executive Nominations.

ADJOURNMENT

Senator ROBBINS. Mr. President, I move that the Senate do now adjourn until Monday, June 2, 1997, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

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