

Legislative Journal

MONDAY, JUNE 2, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 33

SENATE

MONDAY, June 2, 1997

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

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

PRAYER

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

Our Heavenly Father, in this moment of prayer when there is silence in the Senate Chamber, may our hearts be still and peaceful, that we might know that You are God.

Bless us with a measure of Your spirit of wisdom, power, and grace sufficient to successfully meet all the challenges that face us this day in the service of Your people. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 13, 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.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The PRESIDENT laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bills had been approved and signed by the Governor:

SB 184 and SB 869.

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:

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

May 15, 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, Willie M. Cooney, 4419 Venus Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Board of Trustees of Harrisburg 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 BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

May 15, 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, Robert K. Hafer, D.O., 690 Maria Drive, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

May 15, 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, Harry F. Schoenagel, R. R. #1, Box 16, Greentown 18426, Pike County, Twentieth 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 his successor is appointed and qualified, but not longer than six months beyond that period, vice Glover M. Beh, Moscow, whose term expired.

THOMAS J. RIDGE
Governor

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

May 15, 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 H. Widmer, 100 Widmer Lane, Rochester 15074, Beaver County, Forty-seventh 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 SELINGSGROVE CENTER**

May 15, 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, Nancy H. Leach, 27 Sycamore Drive, Mifflintown 17059, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Robert L. Compton, Jr., Richfield, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF SELINGSGROVE CENTER**

May 15, 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, James A. Zurick, Esquire, 20 South Market Street, Shamokin 17872, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF OPTOMETRY**

May 21, 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, Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years and until her successor is ap-

pointed and qualified, but not longer than six months beyond that period, vice Julianne Nolan, Topton, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 27, 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, Mark Navarro, 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as District Justice, in and for the County of Allegheny, Magisterial District 5-2-18, to serve until the first Monday of January 1998, vice Robert M. Sable, mandatory retirement.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

May 28, 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, Francine M. Amendola, 330 Lincoln Avenue, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Cosmetology, 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 Paula Severino, Lancaster, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

May 28, 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, Franklin K. Schoeneman, Route 61 North, P. O. Box 600, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Cosmetology, 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 Stan Gordon, Villanova, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL**

May 28, 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, Robert E. Gregory, 721 East

28th Division Highway, Lititz 17543, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

May 28, 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, Joan A. Jepsen, P. O. Box 6191, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Eleanor L. Palka, Reading, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

May 28, 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, Redith F. Snoberger, 133 Hillside Street, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville 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 BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

May 28, 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, Rachel M. Torres, 707 North 25th Street, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Richard C. Noble, Reading, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

May 29, 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, James N. Logue, Dr.P.H. (Alternate Member), 62 Little Run Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Brenda McLaughlin, Harrisburg, resigned.

THOMAS J. RIDGE
Governor

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

May 30, 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, Jerry L. Spangler, 160 West Main Street, Somerset 15501, Somerset County, Thirty-second 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 2003, and until his successor is appointed and qualified, vice William F. Barry, Uniontown, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE CONSERVATION
COMMISSION

May 30, 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, Jack A. Dehoff, 400 Kendale Road, Red Lion 17356, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 2001, and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

May 30, 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, James W. Pashek, 1334 North Sheridan Avenue, Pittsburgh 15206, Allegheny County, Thirty-eighth Senatorial District, for reappointment 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.

THOMAS J. RIDGE
Governor

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

May 30, 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, Lory B. Naugle, 511 Schoolhouse Lane, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Douglas P. Harbach, Chambersburg, whose term expired.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 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, Carol Southwick, 24 Putnam Street, Union City 16438, Erie County, Fiftieth Senatorial District, for appointment as District Justice, in and for the County of Erie, Magisterial District 6-3-04, to serve until the first Monday of January 1998, vice Mary Jane Fuller, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 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, Ronald J. Haggerty, 704 Cherry Lane, Connellsville 15425, Fayette County, Thirty-second Senatorial District, for appointment as District Justice, in and for the County of Fayette, Magisterial District 14-1-02, to serve until the first Monday of January 1998, vice Charles F. Hartz, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 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, William I. Maruszczak, 432 Robin Hill Road, Wayne 19087, Montgomery County, Seventeenth Senatorial District, for appointment as District Justice, in and for the County of Montgomery, Magisterial District 38-1-09, to serve until the first Monday of January 1998, vice Donald O. Riehl, mandatory retirement.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 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, Mark Mansour, Esquire, 910 West Newton Road, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as District Justice, in and for the County of Westmoreland, Magisterial District 10-3-01, to serve until the first Monday of January 1998, vice Lois L. Diehl, resigned.

THOMAS J. RIDGE
Governor

SECRETARY OF AGRICULTURE

June 2, 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 E. Hayes, Jr., P. O. Box 120, Warriors Mark 16877, Huntingdon County, Thirtieth Senatorial District, for appointment as Secretary of Agriculture, to serve until the third Tuesday of January 1999 and until his successor shall have been appointed and qualified, vice The Honorable Charles C. Brosius, West Grove, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

June 2, 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, Patrick J. Stapleton, III, 936 Philadelphia Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday in May 2000, vice Oliver L. Slinker, Harrisburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
MAYVIEW STATE HOSPITAL**

June 2, 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, Elaine M. McGraw, 1258 Oak Ridge Road, McDonald 15057, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Mayview 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 BOARD OF TRUSTEES OF
MAYVIEW STATE HOSPITAL**

June 2, 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, Dr. Niles Norman, 1213 Satellite Circle, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE MILK MARKETING BOARD

June 2, 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, Luke F. Brubaker, 740 Union School Road, Mount Joy 17552, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Milk Marketing Board, to serve until May 1, 2003 and until his successor is appointed and qualified, vice Leon H. Wilkinson, Landenberg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD OF
VETERINARY MEDICINE**

June 2, 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, Danette Koons (Public Member), 129 Linden Avenue, Red Lion 17356, York County, Twenty-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 her successor is appointed and qualified, but not longer than six months beyond that period, vice Maria Zulick Nucci, Esquire, Verona, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

June 2, 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, Denise M. Stuck-Lewis, 9139 Main Street, McKean 16426, Erie County, Fiftieth Senatorial District, for appointment as District Justice, in and for the County of Erie, Magisterial District 6-3-06, to serve until the first Monday of January 2000, vice Ronald E. Stuck, resigned.

THOMAS J. RIDGE
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

**MEMBER OF THE STATE BOARD
OF PSYCHOLOGY**

May 28, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 24, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia M. Bricklin, Ph.D., Wayne, whose term expired.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 13, 1997 for the appointment of Jill Asher, 660 Boas Street, Town House Apartments, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Montgomery, Magisterial District 38-1-09, to serve until the first Monday of January 1998, vice Donald O. Riehl, mandatory retirement.

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

THOMAS J. RIDGE
Governor

**RECALL COMMUNICATIONS
LAID ON THE TABLE**

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 laid on the table:

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

May 28, 1997

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 February 26, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Council of Trustees of Cheyney 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 Marvin Wachman, Ph.D., Philadelphia, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

May 28, 1997

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 February 28, 1997 for the appointment of Jill Asher (Public Member), 660 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, 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 Michele K. Bote, Millersville, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD

May 28, 1997

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 February 28, 1997 for the appointment of Mark Navarro, 4184 Kitatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Vincent J. Giannetti, Ph.D., Pittsburgh, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF EDUCATION

May 28, 1997

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 February 28, 1997 for the appointment of Nolan Kurtz, 1008 North

Third Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Education, to serve until October 1, 2002 or until his successor is appointed and qualified, vice John C. Pittenger, Esquire, Nottingham, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE ENVIRONMENTAL
HEARING BOARD

May 28, 1997

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 February 11, 1997 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until her successor is appointed and qualified, vice Richard S. Ehmann, Esquire, Pittsburgh, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY

May 28, 1997

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 February 28, 1997 for the appointment of Donna Kriner, 4113K Beechwood Lane, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Industrial Development Authority, to serve for a term of seven years and until her successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

May 28, 1997

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 February 28, 1997 for the appointment of Carolyn Angelo, 20 Fourth Street, Hanover 17331, York County, Twenty-eighth Senatorial District, as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January 1998, vice The Honorable Emanuel A. Cassimatis, mandatory retirement.

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

THOMAS J. RIDGE
Governor

JUDGE, SUPERIOR COURT OF
PENNSYLVANIA

May 28, 1997

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 February 26, 1997 for the appointment of Gregory Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Superior Court of Pennsylvania, to serve until the first Monday of January 1998, vice The Honorable Donald E. Wieand, deceased.

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

May 28, 1997

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 February 28, 1997 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 1998 and until his successor is appointed and qualified, vice Luis F. Columba, resigned.

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

May 28, 1997

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 February 28, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2001 and until his successor is appointed and qualified, vice Sheila Bass, Holland, resigned.

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

May 28, 1997

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 February 28, 1997 for the appointment of Marilyn Striano, 1005 Coppercreek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve for a term of five years and until her successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF OPTOMETRY

May 28, 1997

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 February 26, 1997 for the appointment of Donna Kriner (Public Member), 4113 Beechwood Lane, Apartment K, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Francis R. Grady, Camp Hill, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

May 28, 1997

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 February 28, 1997 for the appointment of Valerie Smith (Public Member), 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Madeline D. Leth, Hazleton, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE PLANNING BOARD

May 28, 1997

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 February 26, 1997 for the appointment of Mark Navarro, 4184 Kit-tatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE PLANNING BOARD

May 28, 1997

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 February 26, 1997 for the appointment of Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Planning Board, to serve until June 15, 1998 and until her successor is appointed and qualified, vice Richard W. Hayden, Esquire, Philadelphia, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

May 28, 1997

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 February 11, 1997 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 1999 and until his successor is appointed and qualified, vice Robert B. Cormany, Ed.D., Carlisle, confirmed to another position.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

May 28, 1997

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

February 26, 1997 for the appointment of Marilyn Striano, 1005 Copper Creek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Psychology, 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, vice Marlene D. Mosco, Erie, declined appointment.

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

THOMAS J. RIDGE
Governor

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

May 28, 1997

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 February 26, 1997 for the appointment of Paula Vitz (Public Member), 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Clair E. Troy, Elizabethtown, deceased.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 26, 1997 for the appointment of Ann DiTullio, 5106 Clinton Drive, Erie 16509, Erie County, Forty-ninth Senatorial District, as District Justice, in and for the County of Erie, Magisterial District 6-3-04, to serve until the first Monday of January 1998, vice Mary Jane Fuller, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 28, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Fayette, Magisterial District 14-1-02, to serve until the first Monday of January 1998, vice Charles F. Hartz, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 26, 1997 for the appointment of Elisabeth Baker, Box 69, Lehman 18627, Luzerne County, Twentieth Senatorial District, as District Justice, in and for the County of Lackawanna, Magisterial District 45-1-02, to serve until the first Monday of January 1998, vice Carmen D. Minora, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 11, 1997 for the appointment of Elisabeth Baker, Box 69, Lehman 18627, Luzerne County, Twentieth Senatorial District, as District Justice, in and for the County of Wyoming, Magisterial District 44-3-02, to serve until the first Monday of January 1998, vice Marion J. Robinson, mandatory retirement.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE ADVISORY COMMITTEE ON PROBATION

May 30, 1997

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 February 28, 1997 for the appointment of The Honorable Thomas R. Dobson, Mercer County Courthouse, Mercer 16137, Mercer County, Fiftieth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Hon. John H. Chronister, York, whose term expired.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 1997

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 February 28, 1997 for the appointment of Diane S. Ciabattini, 182 Iowa Street, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, as District Justice, in and for the County of Westmoreland, Magisterial District 10-3-01, to serve until the first Monday of January 1998, vice Lois L. Diehl, resigned.

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

THOMAS J. RIDGE
Governor

CORRECTION TO 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:

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

June 2, 1997

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

Please note the nomination dated March 26, 1997 for the appointment of Julia A. Bucher, Ph.D., 139 North Third Street, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, 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 Mary Ellen Borges, Huntingdon Valley, whose term expired, should be corrected to read:

Julia A. Bucher, Ph.D., R. R. #3, Box 1576, Milton 17847, Northumberland County, Twenty-seventh Senatorial District, 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 Mary Ellen Borges, Huntingdon Valley, whose term expired.

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:

May 15, 1997

HB 118 -- Committee on Agriculture and Rural Affairs.

HB 231 -- Committee on Local Government.

HB 402 -- Committee on Public Health and Welfare.

HB 507 -- Committee on Consumer Protection and Professional Licensure.

HB 1341 -- Committee on Judiciary.

HB 1414 -- Committee on Community and Economic Development.

HB 1426 -- Committee on Urban Affairs and Housing.

May 28, 1997

HB 1375 -- Committee on State Government.

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

May 28, 1997

HR 167 -- Committee on Local Government.

BILLS INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Bills numbered, entitled, and referred as follows, which were read by the Clerk:

May 14, 1997

Senators HECKLER, JUBELIRER, ULIANA, PICCOLA, BRIGHTBILL, COSTA, KUKOVICH, GERLACH, EARLL, MURPHY, SLOCUM, THOMPSON, ROBBINS, SCHWARTZ, PUNT, HART, AFFLERBACH, DELP, TOMLINSON and MOWERY presented to the Chair **SB 1**, entitled:

An Act regulating lobbying; providing for further duties of the State Ethics Commission; requiring the registration of lobbyists and principals and the submission of certain reports; providing penalties; establishing a restricted receipts fund; making an appropriation; and making a repeal.

Which was committed to the Committee on STATE GOVERNMENT, May 14, 1997.

Senators BRIGHTBILL and RHOADES presented to the Chair **SB 984**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for the power to confer degrees.

Which was committed to the Committee on EDUCATION, May 14, 1997.

Senators COSTA, MELLOW, BELAN, HART, WENGER, SALVATORE, KASUNIC, AFFLERBACH, HELFRICK, TOMLINSON, GERLACH, ROBBINS, DELP, SCHWARTZ, RHOADES, STAPLETON, EARLL, SLOCUM and MUSTO presented to the Chair **SB 985**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting unauthorized administration of an intoxicant; and providing for additional penalties for certain drug-induced rape.

Which was committed to the Committee on JUDICIARY, May 14, 1997.

Senators EARLL, KUKOVICH, COSTA, TOMLINSON, GERLACH, GREENLEAF, HART, SCHWARTZ, TARTAGLIONE, ULIANA and AFFLERBACH presented to the Chair **SB 986**, entitled:

An Act providing for remedies for retaliation to workers' compensation claims and for penalties and costs.

Which was committed to the Committee on LABOR AND INDUSTRY, May 14, 1997.

Senators HECKLER, LOEPER, TILGHMAN, GREENLEAF, HART, ARMSTRONG and THOMPSON presented to the Chair **SB 1000**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, Liquor Code, providing for the establishment, implementation and operation of a system of wine and spirits stores for the sale of wine and liquor for off-premises consumption, for the enforcement of underage consumption provisions and for the establishment of the Wine and Spirits Stores Fund; and further providing for certain hearings, for renewal of licenses, for revocation and suspension of licenses, for local options, for disorderly conduct, for nuisances and for fines and penalties.

Which was committed to the Committee on LAW AND JUSTICE, May 14, 1997.

May 15, 1997

Senators HECKLER, TOMLINSON, COSTA, SALVATORE, GERLACH, TARTAGLIONE, WENGER, SLOCUM, MADIGAN, HELFRICK, O'PAKE, MOWERY, MELLOW, DELP and KASUNIC presented to the Chair **SB 987**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity for antidrug and town-watch volunteers.

Which was committed to the Committee on JUDICIARY, May 15, 1997.

Senators HECKLER, HOLL and AFFLERBACH presented to the Chair **SB 988**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), entitled, as amended, Pennsylvania Municipalities Planning Code, providing for an educational impact fee.

Which was committed to the Committee on EDUCATION, May 15, 1997.

May 28, 1997

Senators SALVATORE, BRIGHTBILL, LEMMOND, COSTA, BELL, AFFLERBACH, FUMO and HUGHES presented to the Chair **SB 989**, entitled:

An Act amending the act of December 17, 1981 (P.L.435, No.135), entitled Race Horse Industry Reform Act, further providing for distribution of moneys retained from pari-mutuel pools and for interstate simulcasting of horse races.

Which was committed to the Committee on STATE GOVERNMENT, May 28, 1997.

Senators HECKLER, TOMLINSON, GERLACH, BRIGHTBILL, LEMMOND, PICCOLA, HELFRICK, WENGER, MADIGAN, MOWERY, SLOCUM, RHOADES, O'PAKE, KASUNIC and STAPLETON presented to the Chair **SB 990**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consump-

tion, possession or transportation of liquor or malt or brewed beverages.

Which was committed to the Committee on LAW AND JUSTICE, May 28, 1997.

Senators BRIGHTBILL and PICCOLA presented to the Chair **SB 991**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for transfer of employer contributions for certain employees of The Pennsylvania State University.

Which was committed to the Committee on FINANCE, May 28, 1997.

June 2, 1997

Senators TOMLINSON and PICCOLA presented to the Chair **SB 992**, entitled:

An Act authorizing counties to assume responsibility for maintenance of certain highways; and providing for funding of maintenance costs.

Which was committed to the Committee on TRANSPORTATION, June 2, 1997.

Senators CORMAN, HELFRICK, ROBBINS, BRIGHTBILL, WHITE, DELP, MELLOW, TOMLINSON and HART presented to the Chair **SB 993**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, June 2, 1997.

Senators WHITE, HELFRICK, EARLL, ROBBINS, LAVALLE, AFFLERBACH, SLOCUM, LEMMOND, BRIGHTBILL, HART, MUSTO, PICCOLA and MOWERY presented to the Chair **SB 995**, entitled:

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), entitled The Administrative Code of 1929, providing for the operation of a black fly control program.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 2, 1997.

Senators WHITE, KUKOVICH, GERLACH, WILLIAMS, SLOCUM, AFFLERBACH, MURPHY, SALVATORE, SCHWARTZ, EARLL, STOUT, HOLL, HART, TOMLINSON, O'PAKE, MUSTO, LEMMOND, MELLOW, RHOADES, and MOWERY presented to the Chair **SB 996**, entitled:

An Act amending the act of July 19, 1979 (P.L. 130, No. 48), entitled Health Care Facilities Act, providing for hospice services.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 2, 1997.

RESOLUTIONS INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Resolutions numbered, entitled, and referred as follows, which were read by the Clerk:

May 15, 1997

Senators MOWERY, SLOCUM, EARLL, PUNT, AFFLERBACH and RHOADES presented to the Chair **SR 47**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to create a bipartisan task force to study the feasibility of changing the date of general primary elections in nonpresidential nomination years and municipal primary elections from the third Tuesday in May to the third Tuesday in September.

Which was committed to the Committee on STATE GOVERNMENT, May 15, 1997.

May 28, 1997

Senators ROBBINS, LEMMOND, HUGHES, BELL, HELFRICK, PUNT, SLOCUM, STAPLETON, MUSTO, BELAN, EARLL, LAVALLE, TILGHMAN, TARTAGLIONE, BRIGHTBILL, WAGNER, MOWERY, THOMPSON, WENGER, KUKOVICH, O'PAKE, PICCOLA, AFFLERBACH, TOMLINSON, SALVATORE, COSTA, STOUT, RHOADES, FUMO, MURPHY, MELLOW, KASUNIC, WILLIAMS, WOZNIAK, GERLACH, HART and SCHWARTZ presented to the Chair **SR 49**, entitled:

A Resolution honoring the Blinded Veterans Association of Pennsylvania, Inc., upon the occasion of its 50th anniversary on June 28, 1997.

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, June 2, 1997.

GENERAL COMMUNICATION

RESOLUTION OF THE STATE OF DELAWARE

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

STATE OF DELAWARE
Department of State
Carvel State Office Building
820 North French Street
Wilmington, DE 19801

MEMORANDUM

DATE: May 14, 1997

TO: The President of the United States
The Vice President of the United States
Presiding Officers (each house of legislature in all states)
Speaker, U.S. House of Representatives
Majority Leader, U.S. Senate
Delaware Congressional Delegation

FROM: Edward J. Freel
Secretary of State

RE: Delaware House of Representatives House Concurrent Resolution No. 6

In accordance with House Concurrent Resolution No. 6, I have enclosed a copy of the resolution for your records.

SPONSOR: Rep. Smith & Sen. Venables; Reps. Spence, Welch, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier,

Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maier, Maroney, Petrilli, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Brady, Banning, Keeley, Plant, Price, West, Sens. Bunting, Vaughn, Bair, Hauge, Reed, Still

HOUSE OF REPRESENTATIVES
139TH GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 6

Jan. 30, 1997

MEMORIALIZING THE U.S. CONGRESS TO PROPOSE AND SUBMIT TO THE SEVERAL STATES AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING THAT NO COURT SHALL HAVE THE POWER TO LEVY OR INCREASE TAXES.

WHEREAS, separation of powers is fundamental to the United States Constitution and the power of the federal government is strictly limited; and

WHEREAS, under the United States Constitution, the states are to determine public policy; and

WHEREAS, it is the duty of the judiciary to interpret the law, not to create law; and

WHEREAS, our present federal government has strayed from the intent of our founding fathers and the United States Constitution through inappropriate federal mandates; and

WHEREAS, these mandates by way of statute, rule or judicial decision have forced state governments to serve as the mere administrative arm of the federal government; and

WHEREAS, federal district courts with the acquiescence of the United States Supreme Court, continue to order states to levy or increase taxes to comply with federal mandates; and

WHEREAS, these court actions violate the United States Constitution and the legislative process; and

WHEREAS, the time has come for the people of this great nation and their duly elected representatives in state government, to reaffirm, in no certain terms that the authority to tax under the Constitution of the United States is retained by the people who, by their consent alone, do delegate such power to tax explicitly to those duly elected representatives in the legislative branch of government who they choose, such representatives being directly responsible and accountable to those who have elected them; and

WHEREAS, several states have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America; and

WHEREAS, the amendment was previously introduced in Congress; and

WHEREAS, the amendment seeks to prevent federal courts from levying or increasing taxes without representation of the people and against the people's wishes; and

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 139th General Assembly, the Senate concurring therein that the Congress of the United States prepare and submit to the several states an amendment to the Constitution of the United States to add a new article providing as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes."

BE IT FURTHER RESOLVED that the Legislature of the State of Delaware also proposes that the legislatures of each of the several states comprising the United States that have not yet made similar requests apply to the United States Congress requesting enactment of an appropriate amendment to the United States Constitution, and apply to the United States Congress to propose such an amendment to the United States Constitution.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Delaware transmit copies of this Resolution to the President

and Vice President of the United States, the presiding officer in each house of legislature in each of the states of the Union, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate and to each member of the State of Delaware Congressional Delegation.

SYNOPSIS

In 1990, a U.S. Supreme Court decision (*Missouri v. Jenkins*) upheld an appeals court ruling which affirmed a District Court's order allowing the local school board to raise property taxes as part of a school desegregation plan in Kansas City. This Resolution calls for an amendment to the U.S. Constitution which would end the self-proclaimed authority and power to tax which the federal courts have given themselves. The language of the proposed amendment does not change the Constitution. Rather, it reasserts a basic premise of representative government--there shall be no taxation without representation.

**APPOINTMENT BY
PRESIDENT PRO TEMPORE**

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

Mr. Randall N. DiPalo as a member of the Health Care Cost Containment Council.

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

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider certain nominations.

REPORTS FROM COMMITTEES

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

SB 91 (Pr. No. 89) (Rereported)

An Act amending the act of June 5, 1968 (P.L.140, No.78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance;....," further providing for cancellation or refusal to renew and for review procedures and policy termination.

SB 95 (Pr. No. 1071) (Rereported)

An Act amending the act of December 14, 1967 (P.L.746, No.345), entitled Savings Association Code of 1967, adding or amending certain definitions; providing for conversion to federally insured status; further providing for refund of capital deposits, for alternate conversion procedures, for dissolution of associations, for appointment of directors and for the dissolution of the Pennsylvania Savings Association Insurance Corporation; and making repeals.

SB 105 (Pr. No. 102) (Rereported)

An Act amending the act of June 11, 1968 (P.L.149, No.84), entitled, as amended, Volunteer Firefighters' Relief Association Act, further providing for the use of funds.

SB 268 (Pr. No. 268) (Rereported)

An Act amending the act of June 11, 1968 (P.L.149, No.84), entitled, as amended, Volunteer Firefighters' Relief Association Act, further providing for the purposes for which funds of an association may be spent.

SB 283 (Pr. No. 1115) (Amended) (Rereported)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to aquacultural development; imposing powers and duties on the Department of Agriculture; and making repeals.

SB 284 (Pr. No. 932) (Rereported)

An Act amending the act of December 18, 1984 (P.L.1005, No.205), entitled Municipal Pension Plan Funding Standard and Recovery Act, further providing for contents of actuarial valuation and for supplemental State assistance.

SB 516 (Pr. No. 545) (Rereported)

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

SB 641 (Pr. No. 674) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for law enforcement records concerning juveniles.

SB 755 (Pr. No. 1116) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), entitled, as amended, The Fiscal Code, further providing for redevelopment assistance capital projects; providing limitations on redevelopment assistance capital projects; and making editorial changes.

SB 770 (Pr. No. 826) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for audio-video arraignment.

SB 980 (Pr. No. 1089) (Rereported)

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.

Senator PUNT, from the Committee on Community and Economic Development, reported the following bills:

SB 10 (Pr. No. 1118) (Amended)

An Act amending the act of June 29, 1996 (P.L.434, No.67), entitled Job Enhancement Act, further defining "financing programs"; and providing for the Community Development Bank Grant and Loan Program.

HB 1414 (Pr. No. 1870) (Amended)

An Act amending the act of June 29, 1996 (P.L.434, No.67), entitled Job Enhancement Act, establishing the Export Financing Loan Fund in the Department of Community and Economic Development to provide financial assistance to small businesses; establishing a special account in the Treasury Department; and providing for special accounts in banks or trust companies.

Senator ULIANA, from the Committee on Urban Affairs and Housing, reported the following bill:

HB 1426 (Pr. No. 1871) (Amended)

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, further providing for homeowner's emergency assistance.

DISCHARGE PETITION

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

In the Senate, June 2, 1997

A PETITION

To place before the Senate the nomination of Jill Asher, as District Justice, Montgomery 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 Jill Asher, as District Justice, Montgomery 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. This communication will be laid on the table.

SENATE CONCURRENT RESOLUTION**WEEKLY ADJOURNMENT**

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

In the Senate, June 2, 1997

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 9, 1997, 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 9, 1997, 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.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Mr. President, I request legislative leaves for Senator Afflerbach and Senator Williams.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Afflerbach and Senator Williams. Without objection, those leaves are granted.

LEAVE OF ABSENCE

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

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR NOAH W. WENGER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Wenger.

Senator WENGER. Mr. President, I am pleased to introduce two fine young men from my district who are serving as Pages here in the Senate today. They are Nathaniel Sheetz, who lives in Marietta, Lancaster County, and Samuel Queen, who lives

in Mount Joy, Lancaster County. They are seventh graders in a homeschool program.

Also in the gallery we have members of their families, Nathaniel's mother, Mrs. Capi Sheetz, and his sister, Janalyn, and Samuel's mother, Mrs. Renee Queen, and his sister, Abigal. I am pleased to have these fine people visiting the Senate today and serving as Pages and would appreciate the Senate's welcome.

The PRESIDENT. Would our guests please rise so the Senate may give you its usual warm welcome.

(Applause.)

The PRESIDENT. The Chair, on behalf of the Senate, extends its greetings and in advance thanks the Pages for their efforts on the floor today.

GUESTS OF SENATOR J. BARRY STOUT PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, it is my pleasure today to have two fine young people from my 46th Senatorial District with us in Harrisburg today to serve as Pages in the Senate. They are Anneslee Lescovitz and Trey Lescovitz of Burgettstown, northern Washington County. Anneslee is an eighth grade student at Our Lady of Lourdes School in Burgettstown and is active in cheerleading, dance, and music. Trey is in the sixth grade and is also a student at Our Lady of Lourdes School and is active in baseball and football.

Their father, the Honorable Victor Lescovitz, of the 46th House District, is a colleague of ours in the General Assembly, and their mother is Nancy, so I would like to recognize them for being Pages in the State Senate this week.

The PRESIDENT. Would our guest Pages please rise so that the Senate may acknowledge you.

(Applause.)

GUESTS OF SENATOR VINCENT J. HUGHES PRESENTED TO THE SENATE

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

Senator HUGHES. Mr. President, also with the spirit of recognition, they are no longer here, they had to leave about 4 hours or so ago, but we were blessed in the gallery with the presence of the Overbrook High School Mock Trial Team, which earlier this year won the Pennsylvania Bar Association's Statewide High School Mock Trial Competition and then went on to the national competition in Nashville, Tennessee, and finished in the top half of the 42 teams that were competing.

For purposes of the record, Mr. President, I would like to call off the eight members of the team. Their names are Bridgett Richardson, April Wood, Yenneeka Long, Myishing Cox, Desiree Travers, Tanika Lott, Tyray Miller, Tiwana Miller, Stefanie Threet, Timothy Carr, and Chanae Smith. Bruce Eisenberg, Mr. President, is their teacher sponsor; Erick Chizmar, from the Timby law firm, was their attorney coach; and

Phil Beauchemin, from Overbrook High School, was their guidance advisor.

In their absence, Mr. President, I would appreciate if the Members of the Senate would give them a warm round of applause and recognition for the great accomplishment that this mock trial competition team from Overbrook High School performed.

The PRESIDENT. The Chair thanks Senator Hughes for bringing that to our attention and their presence earlier in the afternoon.

(Applause.)

The PRESIDENT. The record will reflect their presence and their accomplishments and the fact that this body took a moment to recognize the same.

CONGRATULATORY RESOLUTION ADOPTED

Senator MADIGAN. Mr. President, I would like to ask for unanimous consent to offer the following resolution.

The PRESIDENT. Senator Madigan and others offer a resolution and ask unanimous consent for its immediate consideration. The Chair hears no objection and the Clerk will read the resolution.

The Clerk read the resolution as follows:

Whereas, Charles C. Brosius advanced the interests of the farming community during his tenure as Secretary of Agriculture, acting as a tireless advocate for farmers and agribusiness; and

Whereas, He has been hailed by leaders in agriculture for his efforts to make the Department of Agriculture more farmer-friendly and reduce bureaucratic red tape; and

Whereas, Charles C. Brosius oversaw development of the new Diagnostic Veterinary Laboratory and assisted in passage of the Domestic Animal Health Act, to the benefit of farmers whose livelihood depends upon healthy livestock; and

Whereas, Charles C. Brosius led efforts to improve the promotion and export of Pennsylvania food and forest products, fighting to give the State a foothold in new international markets; and

Whereas, He expanded the State's annual Farm Show by initiating International Day, an unprecedented event bringing delegates from countries around the world to sample Pennsylvania products; and

Whereas, He worked closely with the Department of Health to establish the Pennsylvania Egg Quality Assurance Program, which works to protect consumers against egg-related food poisoning that has been problematic in other states; and

Whereas, Charles C. Brosius strives to model his character on that of Thomas Jefferson, and he exemplifies Jefferson's ideals of honesty, loyalty, hard work and public service; and

Whereas, He is a family man who shares the credit for all of his considerable successes with Jane Brosius, his wife and partner in work and life; and

Whereas, Charles C. Brosius is a successful farmer and businessman in his own right and a man of unquestioned integrity and commitment to the highest ideals, both personally and professionally; therefore be it

Resolved, That the Senate honor and express its gratitude to Charles C. Brosius for his lifetime of achievements and public service.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Bradford, Senator Madigan.

Senator MADIGAN. Mr. President, I would like to thank my colleagues who signed on as part of this resolution.

There is an old saying about bureaucrats who regulate agriculture. Farming looks mighty easy when your plow is a pencil and you are a thousand miles from the cornfield. It is a pretty accurate statement that just about sums up how most farmers feel about the folks in Harrisburg. That is why the resignation of Charles Brosius was such a blow to our farm community. Although he was an excellent government official, Charlie was always a farmer first and he never forgot what it was like to make a living growing crops and livestock. He is a public servant in the true sense of the word, one who really looks out for his constituency, the men and women who operate farming operations, large and small.

He has been hailed by leaders in agriculture for his successful efforts to make the Agriculture Department more farmer-friendly and reducing bureaucratic red tape. And Charlie has been applauded for his work on new initiatives like the development of the Diagnostic Veterinary Laboratory and the passage of the Domestic Animal Health Act. Charlie knows how important it is for farmers to find new markets for their products, and during his tenure he pioneered efforts to improve the promotion and export of our Pennsylvania products.

More importantly, Charlie Brosius is a man of conviction and principle. Whether serving in State government or heading up his own successful business, Charlie is first and foremost a good man who strives to do the right thing and who succeeds in doing the right thing. Those of us serving in the legislature and his former employees will miss him, and so will the men and women who operate farms throughout our great Commonwealth. They have lost an advocate and a friend, which is something they very much need in Harrisburg. His shoes will be tough to fill, and his departure is a sad thing for the farm community and our Commonwealth.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Delp.

Senator DELP. Mr. President, today we have an important occasion here in the Senate of Pennsylvania. Through the resolution that we have before us, we are taking the opportunity to honor a man whose lifetime of achievement and public service truly make him a unique Pennsylvanian, that person being Secretary of Agriculture, Charlie C. Brosius. During his tenure with the department, Secretary Brosius has been a tireless advocate for the Commonwealth's number one industry, an industry that will continue to benefit from his legacy for many years to come. His efforts on behalf of the farming community and his advocacy for agribusiness here in Pennsylvania are unparalleled.

His successes are too numerous to mention, but we would be remiss if we did not acknowledge some of his most noteworthy achievements, including making the Department of Agriculture more farmer-friendly, reducing bureaucracy red tape, overseeing the development of the new Diagnostic Veterinary Laboratory, and assisting in the passage of the Domestic Animal Health Act, which are today providing critical services

to Pennsylvania farmers as we deal with the current avian flu epidemic.

Secretary Brosius also spearheaded Pennsylvania's efforts to improve the promotion and export of our food and forest products and helped to strengthen our presence in the global marketplace. He was responsible for the creation of the first International Day activities during the annual Farm Show.

But additionally, I want to take an opportunity today to thank his wife, Jane, who graciously shared Charlie with the Commonwealth for the last 3 years. And I can tell you from my own personal experience, not too many weeks ago I had a town meeting down in my district in Loganville, in the heart of the farm country down in York County, and Secretary Brosius was gracious enough to give up one of his free nights to come down and speak to the farmers, and accompanying him that evening was his wife, Jane. That is quality time when you are a public servant. I know I do not need to tell my colleagues all about that. They live that life as well. But certainly Jane has made a sacrifice over the last 3 years as well, and I appreciate it.

Mr. President, as chairman of the Senate Committee on Agriculture, I can tell you that our State government is going to miss Charlie Brosius. After all, this successful farmer, businessman, and family man is the embodiment of integrity and a commitment to high ideals. But I am certain as we move forward in his absence, we will build on his successes and his vision, and we will embrace the future and move into the next century, thanks in a large part to his accomplishments.

I ask for a unanimous vote on the resolution we have before us today honoring Secretary Brosius.

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

Senator BELL. Mr. President, I have been here a good many years. I have seen Secretaries of Agriculture come and go. Charlie Brosius is the finest Secretary of Agriculture I have known, and he is also one of the best Secretaries that this State has ever had. He is a neighbor to my southern Chester County neighbors, whom I represent. Not only has he done what was said here before, fighting avian flu, but he is also involved in that threat to the mushroom industry, the mold, which could destroy a multimillion dollar industry, and I understand that they finally are breaking through with a solution.

Charlie Brosius is loved and respected by his neighbors in Chester County, and I just want to quote him on one statement he made to me one day. We were talking about the future of agriculture, and he said, "There is a three-legged stool - Penn State, New Bolton, and the Secretary of Agriculture - and that three-legged stool is the backbone of the biggest industry of this State," and, Charlie, your neighbors will miss you being Secretary, but come back to Chester County.

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Stapleton.

Senator STAPLETON. Mr. President, just a word for our Members on this side of the aisle. I certainly found Charlie Brosius to be a gentleman and a man of his word. No matter what side of the aisle, it made no difference to this Secretary. His cooperation with our Members of the Committee on Agri-

culture and Rural Affairs was always there. I recall his visit to Indiana County to the farmers there who had the highest regard and still have the highest regard for this man. We will miss him, and we are looking forward to working with the new Secretary of Agriculture.

Thank you very much.

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

Senator THOMPSON. Mr. President, I am proud to have Charlie Brosius as my constituent in the 19th district. You have heard a lot this afternoon about Charlie's service to the farmers of Pennsylvania as the Secretary of Agriculture. His service goes back far before that. I can remember working with him nearly 30 years ago as a township supervisor. I also had the privilege of appointing Charlie as a charter member of the Chester County Agricultural Development Council, and that group set an agriculture preservation program in place in Chester County which has been a hallmark for Pennsylvania and for the nation as far as agricultural preservation is concerned. I have also had the privilege of serving with him on the Penn State Great Valley Advisory Board.

The Secretary may be stepping down as Secretary, but hopefully he will not be stepping out of public service. In fact, there are a lot of other nice projects we would like to get him involved with in Chester County. So we thank him for what he is doing and we also thank him for what he is considering doing to continue his work in public service.

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

Senator GERLACH. Mr. President, I also rise to urge the unanimous adoption of this resolution by Senator Madigan. I first had the opportunity to meet Charlie Brosius back in the late 1980s when I joined the Chester County Agricultural Development Council, and if there are three words that any one of us could ascribe to Charlie they are honesty, integrity, and decency. Charlie exhibited those qualities when I first met him back in the late 1980s, he exhibited those qualities in everything I have seen him participate in since then in his personal and professional life, and I think it is a wonderful opportunity for us today, for those of us who knew Charlie in some other capacity before today or in some capacity as a legislator in working with the Department of Agriculture, that we give this resolution our unanimous support and demonstrate to him our caring and our respect for all that he has done for Pennsylvania's agricultural community and Pennsylvanians generally. So I would urge the unanimous adoption of this resolution.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Wenger.

Senator WENGER. Mr. President, Charlie Brosius has served as Pennsylvania's Secretary of Agriculture for the last 2 1/2 years, and he has served with distinction. Previous speakers have pointed out his various and numerous accomplishments during those 2 1/2 years as our Secretary of Agriculture, and I will not repeat all of them. But I would like to add that for a 10-year period from 1982 to 1992, before the most recent reapportionment, Charlie Brosius and his fine family were my constituents in Chester County and I got to know them person-

ally. I got to realize that Charlie Brosius was the kind of person you could confide in and you could go to and seek advice when it came to those areas in which he had expertise. He is the kind of person who looks you in the eye and tells you the truth and you can be proud to know him.

He distinguished himself in his local community. His public service at the local level and at the State level are well known. He is a man for all seasons. I have seen him communicate effectively with the farm community, the financial community, the agribusiness community, the academic community. He is the kind of person who can be an asset in just about anyplace he may be found.

I would like to say that in addition to speaking on behalf of his integrity and his character, it has been a pleasure for my wife, Barbara, and I to know Charlie and Jane and to call them our personal friends.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The Chair acknowledges the speakers and thanks them.

(Applause.)

THIRD CONSIDERATION CALENDAR RESUMED

PREFERRED APPROPRIATION BILL OVER IN ORDER

HB 849 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL OVER IN ORDER

HB 87 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 90 (Pr. No. 1509) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of U.S. Route 220 in Lycoming County as the Lycoming County Veterans' Memorial Highway; and designating a portion of State Route 307 in Lackawanna County as the Joseph M. McDade Expressway.

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

Afflerbach	Hart	Mowery	Tartaglione
Armstrong	Heckler	Murphy	Thompson
Belan	Holl	Musto	Tilghman
Bell	Hughes	O'Pake	Tomlinson

Bodack	Jubelirer	Piccola	Uliana
Brightbill	Kasunic	Punt	Wagner
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Delp	LaValle	Salvatore	Williams
Earll	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	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 without amendments.

BILLS OVER IN ORDER

SB 114, HB 148, SB 211, SB 251 and SB 254 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 420 (Pr. No. 437) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, providing further procedures prior to name change orders.

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

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

BILL AMENDED

SB 421 (Pr. No. 1078) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing certain mandates imposed on counties; and discharging certain liabilities of counties.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A2543:

Amend Sec. 1, page 1, line 19, by striking out "(A) ABSOLUTE."

Amend Sec. 1, page 2, line 1, by striking out "505" and inserting: 505(a)

Amend Sec. 1, page 2, lines 6 through 8, by striking out all of said lines

Amend Sec. 2, page 2, line 12, by striking out "505" and inserting: 505(a)

On the question,

Will the Senate agree to the amendment?

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

Senator BRIGHTBILL. Mr. President, I offer this amendment, and believe it has been agreed to.

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland, Senator Kukovich.

Senator KUKOVICH. Mr. President, I do not believe I have agreed to this amendment yet, and I would like a brief explanation of what it does to the county share for nursing homes.

The PRESIDENT. Senator Kukovich, to whom do you place the question?

Senator KUKOVICH. Mr. President, to the maker of the amendment. I ask if he would stand for brief interrogation.

The PRESIDENT. Senator Brightbill, do you wish to stand for interrogation?

Senator BRIGHTBILL. Yes, Mr. President.

The PRESIDENT. Senator Kukovich, carry on.

Senator KUKOVICH. Mr. President, the gentleman said the amendment was agreed to, but it is my understanding that this bill was agreed to in an agreement made between this administration, Governor Ridge and Secretary Bittenbender, and the County Commissioners Association, especially in light of the \$2 billion that has been brought into the Commonwealth in terms of Federal dollars since 1992. I am wondering how this amendment affects the forensic section of that agreement and the county nursing home share of that agreement?

Senator BRIGHTBILL. Mr. President, the forensic section of that agreement is not impacted. The county nursing home section of that agreement is impacted. My understanding is that the County Commissioners Association has agreed to this amendment, which has the effect of not repealing Section 472 of the Public Welfare Code, and the reason for my belief is that they believe that this amendment is necessary to get the rest of the bill through the House of Representatives in a timely fashion. And I think it is half a loaf versus a full loaf.

Senator KUKOVICH. Mr. President, I have no further questions. I thank the gentleman. I think that is an accurate explanation.

I guess where I have a problem is that I thought this issue was dealt with fairly back in 1995, and I would simply like to read into the record a letter from Secretary Bittenbender dated September 25, 1995, directed to the executive director of the County Commissioners Association. It says: *(Reading)*

It is my understanding that on September 22, 1995, representatives of the County Commissioners Association of Pennsylvania and the Department of Public Welfare executed an Agreement which, if and when approved in accordance with Commonwealth procurement requirements, will provide for an intergovernmental transfer of funds from various signatory counties to the Commonwealth. In light of this Agreement, consistent with the intent of the parties, and assuming that the intergovernmental Transfer Agreement is fully executed and implemented, I am writing to advise you that:

Number 1, and I will not read this part because this part is still contained within the bill, but paragraph 2 of this letter is now being repealed by this amendment. *(Reading:)*

The Commonwealth agrees that it will not oppose legislation eliminating the provision at 62 P.S. §472 which requires counties to pay ten percent of the certified non-federal share of the cost for public nursing home care, and if such legislation is enacted by the General Assembly, and is constitutional in the opinion of the Governor's General Counsel and does not otherwise contain any provision objectionable to the Governor, the Governor shall sign such legislation.

That is signed by Robert Bittenbender.

Apparently what this language would do could eventually hurt the counties to the tune of about \$25 million or \$26 million. In light of the fact that when this agreement was struck an extra \$35 million came to the Commonwealth to pay through this fiscal year, I think the counties operated in good faith at that point in time, and I am not sure of the rationale for going back on that commitment and I am also not sure what this will mean to the nursing home in my county if this legislation does not pass intact.

I understand Senator Brightbill's interest in trying to move a bill through. I will oppose this amendment and ask my colleagues to do so, and then they can vote in favor of the bill on final passage.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Northampton, Senator Uliana.

Senator ULIANA. Mr. President, just briefly, I would rise in strong support of the Brightbill amendment.

A couple of weeks ago I rose on this Senate floor to offer an amendment which would have merely allowed for a 2-year window for this exemption from the 10 percent nonfederal share payment by the counties for their nursing home costs. At that time there was a lot of discussion. I am glad to see that now the County Commissioners Association agrees with my position that we should still keep control over payment and costs at the local hand, because many times when we get into the position of writing an open check, that is paying from Harrisburg, allowing local governments to administer the pro-

grams, those programs strangely grow well beyond belief and we end up having a great fiscal problem.

The intergovernmental transfer that the previous speaker talked about is something which is a great benefit to the Commonwealth of Pennsylvania and is something that the counties, along with the State, have been working on for a number of years. But we have no concrete assurances from Washington that that will continue for the indefinite future, and we need to protect ourselves so that the State does not get into a position of tremendous liability of paying for something where we have no control over the management of those costs.

So I thank Senator Brightbill for offering this amendment, and I would urge all the Members of this Senate to support it here today because it is important that the State keeps proper fiscal controls over a program in which we have had to restructure the payment system to keep it controlled, because during the early 1980s it was growing tremendously and was almost out of control.

Thank you very much, Mr. President.

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, Senator Corman, Senator Tomlinson, Senator Holl, and Senator Mowery have been called from the floor to their offices, and I request temporary Capitol leaves on their behalf.

The PRESIDENT. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Indiana, Senator Stapleton.

Senator STAPLETON. Mr. President, I would like to request temporary Capitol leaves for Senator Fumo and Senator O'Pake.

The PRESIDENT. Without objection, those leaves are granted.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-34

Afflerbach	Greenleaf	Murphy	Thompson
Armstrong	Hart	Piccola	Tilghman
Bell	Heckler	Punt	Tomlinson
Bodack	Holl	Rhoades	Uliana
Brightbill	Jubelirer	Robbins	Wagner
Corman	Lemmond	Salvatore	Wenger
Delp	Loeper	Slocum	White
Earl	Madigan	Stapleton	
Gerlach	Mowery	Stout	

NAY-15

Belan	Kasunic	Mellow	Tartaglione
Costa	Kitchen	Musto	Williams
Fumo	Kukovich	O'Pake	Wozniak
Hughes	La Valle	Schwartz	

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

RECONSIDERATION OF A2543

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

Senator BODACK. Mr. President, I move to reconsider the vote by which amendment A2543 to Senate Bill No. 421 passed.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-28

Armstrong	Greenleaf	Madigan	Salvatore
Bell	Hart	Mowery	Slocum
Brightbill	Heckler	Murphy	Thompson
Corman	Holl	Piccola	Tomlinson
Delp	Jubelirer	Punt	Uliana
Earl	Lemmond	Rhoades	Wenger
Gerlach	Loeper	Robbins	White

NAY-21

Afflerbach	Kasunic	O'Pake	Wagner
Belan	Kitchen	Schwartz	Williams
Bodack	Kukovich	Stapleton	Wozniak
Costa	La Valle	Stout	
Fumo	Mellow	Tartaglione	
Hughes	Musto	Tilghman	

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

The PRESIDENT. Senate Bill No. 421 will go over in its order, as amended.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 428 (Pr. No. 451) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), entitled Goods and Services Installment Sales Act, further providing for the definition of "goods."

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

Afflerbach	Hart	Mowery	Tartaglione
Armstrong	Heckler	Murphy	Thompson
Belan	Holl	Musto	Tilghman
Bell	Hughes	O'Pake	Tomlinson
Bodack	Jubelirer	Piccola	Uliana

Brightbill	Kasunic	Punt	Wagner
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Delp	LaValle	Salvatore	Williams
Earll	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	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.

BILLS OVER IN ORDER

HB 479, SB 640 and SB 875 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILL RECOMMITTED

SB 5 (Pr. No. 1100) -- The Senate proceeded to consideration of the bill entitled:

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.

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

BILLS OVER IN ORDER

HB 41 and HB 77 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 133 (Pr. No. 130) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

SB 363, HB 383, HB 385, SB 392 and SB 435 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 489 (Pr. No. 509) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), entitled The Local Tax Enabling Act, further defining "net profits."

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

BILLS OVER IN ORDER

SB 492, SB 506, SB 509, SB 510 and SB 512 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 538 (Pr. No. 1063) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, Real Estate Tax Sale Law, further providing for discharge of tax claims; restricting the rights of certain persons to purchase property subject to sale under this act; and imposing additional powers and duties on local municipalities and tax claim bureaus.

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

BILLS OVER IN ORDER

SB 539, SB 540, SB 541, SB 542 and SB 573 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 631 (Pr. No. 1067) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), entitled Municipal Claim and Tax Lien Law, further providing for sale of property in cities of the first class.

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

BILLS OVER IN ORDER

SB 669 and HB 679 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 763 (Pr. No. 819) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

SB 861, SB 862, SB 864, SB 901, SB 959 and SB 965 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS REREFERRED

SB 969 (Pr. No. 1080) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 1065 (Pr. No. 1190) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 421 (Pr. No. 1117) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing certain mandates imposed on counties; and discharging certain liabilities of counties.

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

BILL ON SECOND CONSIDERATION

SB 980 (Pr. No. 1089) -- The Senate proceeded to consideration of the bill, entitled:

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.

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 ask for a very brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to begin immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For a special meeting of the Committee on Rules and Executive Nominations, 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
TAKEN FROM THE TABLE**

Senator SALVATORE, by unanimous consent, called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

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

May 28, 1997

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 February 26, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Council of Trustees of Cheyney 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 Marvin Wachman, Ph.D., Philadelphia, resigned.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF COSMETOLOGY**

May 28, 1997

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 February 28, 1997 for the appointment of Jill Asher (Public Member), 660 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, 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 Michele K. Bote, Millersville, whose term expired.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

May 28, 1997

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 February 28, 1997 for the appointment of Mark Navarro, 4184 Kitatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Vincent J. Giannetti, Ph.D., Pittsburgh, whose term expired.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF EDUCATION**

May 28, 1997

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 February 28, 1997 for the appointment of Nolan Kurtz, 1008 North Third Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Education, to serve until October 1, 2002 or until his successor is appointed and qualified, vice John C. Pittenger, Esquire, Nottingham, resigned.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE ENVIRONMENTAL
HEARING BOARD**

May 28, 1997

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 February 11, 1997 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until her successor is appointed and qualified, vice Richard S. Ehmann, Esquire, Pittsburgh, resigned.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY**

May 28, 1997

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 February 28, 1997 for the appointment of Donna Kriner, 4113K Beechwood Lane, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Industrial Development Authority, to serve for a term of seven years and until her successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

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

May 28, 1997

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 February 28, 1997 for the appointment of Carolyn Angelo, 20 Fourth Street, Hanover 17331, York County, Twenty-eighth Senatorial District, as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January 1998, vice The Honorable Emanuel A. Cassimatis, mandatory retirement.

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

THOMAS J. RIDGE
Governor

**JUDGE, SUPERIOR COURT OF
PENNSYLVANIA**

May 28, 1997

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 February 26, 1997 for the appointment of Gregory Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Superior Court of Pennsylvania, to serve until the first Monday of January 1998, vice The Honorable Donald E. Wieand, deceased.

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**

May 28, 1997

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 February 28, 1997 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 1998 and until his successor is appointed and qualified, vice Luis F. Columba, resigned.

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**

May 28, 1997

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 February 28, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2001 and until his successor is appointed and qualified, vice Sheila Bass, Holland, resigned.

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**

May 28, 1997

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 February 28, 1997 for the appointment of Marilyn Striano, 1005 Coppercreek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Minority Business Development Authority, to serve for a term of five years and until her successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF OPTOMETRY**

May 28, 1997

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 February 26, 1997 for the appointment of Donna Kriner (Public Member), 4113 Beechwood Lane, Apartment K, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Francis R. Grady, Camp Hill, whose term expired.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

May 28, 1997

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 February 28, 1997 for the appointment of Valerie Smith (Public Member), 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Madeline D. Leth, Hazleton, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE PLANNING BOARD

May 28, 1997

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 February 26, 1997 for the appointment of Mark Navarro, 4184 Kitatiny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE PLANNING BOARD

May 28, 1997

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 February 26, 1997 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Planning Board, to serve until June 15, 1998 and until her successor is appointed and qualified, vice Richard W. Hayden, Esquire, Philadelphia, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE ADVISORY COMMITTEE
ON PROBATION

May 30, 1997

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 February 28, 1997 for the appointment of The Honorable Thomas R. Dobson, Mercer County Courthouse, Mercer 16137, Mercer County, Fiftieth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Hon. John H. Chronister, York, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

May 28, 1997

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 February 11, 1997 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 1999 and until his successor is appointed and qualified, vice Robert B. Cormany, Ed.D., Carlisle, confirmed to another position.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

May 28, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 24, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia M. Bricklin, Ph.D., Wayne, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

May 28, 1997

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 February 26, 1997 for the appointment of Marilyn Striano, 1005 Copper Creek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Psychology, 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, vice Marlene D. Mosco, Erie, declined appointment.

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

THOMAS J. RIDGE
Governor

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

May 28, 1997

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 February 26, 1997 for the appointment of Paula Vitz (Public Member), 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Clair E. Troy, Elizabethtown, deceased.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 11, 1997 for the appointment of Elisabeth Baker, Box 69, Lehman 18627, Luzerne County, Twentieth Senatorial District, as District Justice, in and for the County of Wyoming, Magisterial Dis-

trict 44-3-02, to serve until the first Monday of January 1998, vice Marion J. Robinson, mandatory retirement.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 26, 1997 for the appointment of Ann DiTullio, 5106 Clinton Drive, Erie 16509, Erie County, Forty-ninth Senatorial District, as District Justice, in and for the County of Erie, Magisterial District 6-3-04, to serve until the first Monday of January 1998, vice Mary Jane Fuller, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 28, 1997 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Fayette, Magisterial District 14-1-02, to serve until the first Monday of January 1998, vice Charles F. Hartz, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 28, 1997

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 February 26, 1997 for the appointment of Elisabeth Baker, Box 69, Lehman 18627, Luzerne County, Twentieth Senatorial District, as District Justice, in and for the County of Lackawanna, Magisterial District 45-1-02, to serve until the first Monday of January 1998, vice Carmen D. Minora, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 1997

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 February 28, 1997 for the appointment of Diane S. Ciabattini, 182 Iowa Street, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, as District Justice, in and for the County of Westmoreland, Magisterial District 10-3-01, to serve until the first Monday of January 1998, vice Lois L. Diehl, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

May 30, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 13, 1997 for the appointment of Jill Asher, 660 Boas Street, Town House Apartments, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Montgomery, Magisterial District 38-1-09, to serve until the first Monday of January 1998, vice Donald O. Riehl, mandatory retirement.

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

THOMAS J. RIDGE
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator SALVATORE, 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 STATE BOARD OF ACCOUNTANCY

May 8, 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, Joseph M. Alu, 719 Center Street, Dunmore 18512, Lackawanna County, Twenty-second 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 Albert B. Melone, Jr., Pittston, resigned.

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, Orville H. Lerch, R. D. #1, Box 7A, Shippensburg 16254, Clarion County, Twenty-first Senatorial District, for appointment 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, vice Joseph S. Harvey, Oil City, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE CORONERS'
EDUCATION BOARD**

April 1, 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, Isidore Mihalakis, M.D., 1024 Highland Avenue, Bethlehem 18018, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE INDUSTRIAL BOARD

April 15, 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, Robert T. Heenan, 1301 Rowland Road, Langhorne 19047, Bucks County, Sixth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday of January 1999 and until his successor is appointed and qualified, vice John Gallagher, Philadelphia, whose term expired.

THOMAS J. RIDGE
Governor

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

February 24, 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, Richard L. Orwig, Esquire, 404 Lynne Avenue, Wyomissing 19610, Berks County, Forty-eighth Sena-

torial 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 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

April 15, 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, J. Ralph Lovette, P. O. Box 811, Glen Road, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven 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
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

April 15, 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, R. Edward Nestlerode, Jr., 34 Cardinal Drive, West, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven 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 Dennis Murray, D.Ed., Hollidaysburg, whose term expired.

THOMAS J. RIDGE
Governor

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

April 15, 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, Maribeth J. R. Bucher, 20 Wheatland Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until February 21, 1999, and until her successor is appointed and qualified, vice James Oesterling, Reading, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL**

April 30, 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, Raymond F. Feroz, Ph.D., 193 South Main Street, Seneca 16346, Venango County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Marilyn E. Whalen, Erie, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BEAVER COUNTY
BOARD OF ASSISTANCE**

March 31, 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, Ralph Smith (Democrat), 1428 Green Street, Aliquippa 15001, Beaver County, Forty-seventh Senatorial District, for appointment as a member of the Beaver County Board of Assistance, to serve until December 31, 1999, 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 23, 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, Vincent N. Goodrich (Republican), 7 Brown Avenue, 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, 1999, and until his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

Senator SALVATORE. 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 RHOADES, from the Committee on Education, reported the following bills:

SB 123 (Pr. No. 1125) (Amended)

An Act providing for a feasibility study relating to the establishment of a Pennsylvania Science Partnership Program.

SB 999 (Pr. No. 1126) (Amended)

An Act providing for the establishment of charter schools; providing for powers and duties of the Secretary of Education; establishing a State Charter School Appeal Board; providing for payments to charter schools; and requiring certain reports and recommendations.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Peter M. DePietro, Whitehall Historical Preservation Society and to the Children's Coalition of the Lehigh Valley by Senator Afflerbach.

Congratulations of the Senate were extended to Helena K. Lindquist by Senators Afflerbach and Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. Leonhard Keck, Mr. and Mrs. James Mount, Mr. and Mrs. James Vogel and to Mr. and Mrs. Robert R. Buch by Senator Armstrong.

Congratulations of the Senate were extended to Danyal McCall, Thomas McMeekin, Patrick Brophy, Juliette Kopay, Robert B. Dittman, St. Joseph's Roman Catholic Church of Duquesne and to the Mon Valley Chapter of American Merchant Marine Veterans by Senator Belan.

Congratulations of the Senate were extended to Mr. and Mrs. Mareen D. Stewart, Mr. and Mrs. Aubertin C. Walls, Mr. and Mrs. Kenneth L. Kerns, Mr. and Mrs. James M. Klina, Mr. and Mrs. Joseph Higgins, Mr. and Mrs. Charles E. White, Mr. and Mrs. Edmund Babicki, Mr. and Mrs. Joseph L. Hinderhofer, Sr., Mr. and Mrs. Edgar Bullock, Matthew Brzowski, John Peter Kuly and to the Church of Saint Joseph of Aston by Senator Bell.

Congratulations of the Senate were extended to Leo Nucera, Barbara Bombich and to William Eckert by Senator Bodack.

Congratulations of the Senate were extended to Reverend Richard H. Andrews and to the citizens of Annville Township by Senator Brightbill.

Congratulations of the Senate were extended to Jonathan Robert Holman, Andrew Leonard, Kylie Gensimore, Timberly Ross and to the Pennsylvania Sheriff's Association of State College by Senator Corman.

Congratulations of the Senate were extended to Jerry and Mary Ann Alex, Mary Phan-Gruber and to the citizens of the Borough of North Braddock by Senator Costa.

Congratulations of the Senate were extended to Mr. and Mrs. Maurice R. Worley, Mr. and Mrs. Monroe Baumgardner, James R. Schneider and to the Margaret E. Moul Home of York by Senator Delp.

Congratulations of the Senate were extended to Mr. and Mrs. John Marcinowski, Mr. and Mrs. Raymond Parker, James Jeffries, Sr., Michael John Vinca and to the Holy Trinity Lutheran Church of Erie by Senator Earll.

Congratulations of the Senate were extended to Al Martino, Joe Niagara and to B'nai B'rith by Senator Fumo.

Congratulations of the Senate were extended to Brad Dunlap, Angie Sterner, Shari Christine Siever, Rebecca Lovell, Ellen Terrible, Jennifer Perrin, Avram J. Patton, Robert Schnure and to the East Greenville Division of Brown Printing Company by Senator Gerlach.

Congratulations of the Senate were extended to the Friendship Elementary School of Coatesville by Senators Gerlach and Thompson.

Congratulations of the Senate were extended to Mr. and Mrs. Robert A. Freeman, Mr. and Mrs. Fred Newsome, Mr. and Mrs. Andrew Gutekunst, Laurie Verbinski, Robert E. Duff, Matthew David Kauffman, James J. Hotchkiss, Alma M. Funk, Margaret U. Reschovsky, Paul N. Detwiler, Joseph J. Handy, Althea Bloom, Harold S. Hobensack, Josephine T. Lueckel, Helen J. DeLong, Aaron Joshua Grant and to Norman A. Cornell by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Fred V. Carter, Mr. and Mrs. Ted Stempkoski, Mr. and Mrs. Zerah Perry, Mr. and Mrs. Clair Wiskeman, James M. Cole, Mike Bizub, Ronald William Duderstadt and to the Honorable Kelley Streib by Senator Hart.

Congratulations of the Senate were extended to Todd Hamski, Ken Herman, William Rodgers, Gregory Goppold, David Uhl, Christopher Goppold, Robert Fowler, Joseph J. Lewis, Justin Thomas Fenty, John H. Stahl, Satwiksal Seshasal and to the Police Agencies of Bucks County by Senator Heckler.

Congratulations of the Senate were extended to Mr. and Mrs. Cloyd D. Walter, Jr., Mr. and Mrs. Jennings Fetterman, Mr. and Mrs. Carvene Crawford, Katy M. Eisenhower, Jessica Kindt, John Wachter, Walter Vorbleski, Jason R. Ewig, Aimee Horne, Jennifer Phillips, John Kaminski, David James Stankiewicz, Trevor Shaw and to Soroptimist International of Columbia County by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Rand, Albert W. Gesullo, Honorable Michael DiNunzio, Honorable Joseph A. Smyth, Dean K. Miller, Travis Timothy Clemens, Joshua Lindeman, Gudrun Arnold, Robert E. Gaskill, William McCabe, Thaddeus F. Zawadzki and to Timothy Skoczen by Senator Holl.

Congratulations of the Senate were extended to George David Moore III, Velma Garrick, Bob Dilworth, Beatrice Teply, Charlotte Austin Walker, Victor Shane Olshansky, Marilyn McLaurin Miles, Earlene Satterfield and to Prince Hall Grand Council of Royal and Select Masters by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. John Logue, Mr. and Mrs. Fred J. Volpe, Mr. and Mrs. Joseph Boslet, Mr. and Mrs. Richard E. Amrhein, Mr. and Mrs. Jack Carnila, Reverend Monsignor Harold J. Burkardt, Edna M. Adams, Rabbi M. Herbert Berger and to the Trinity United Methodist Church of Bellwood by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Orean Brown, Timothy A. Childs, Keith Brant, Kay F. Slope and to Frank Mills by Senator Kasunic.

Congratulations of the Senate were extended to Mother Willie Mae Rivers and to the Roberts Vaux Middle School Chess Team by Senator Kitchen.

Congratulations of the Senate were extended to the Downtown West Newton Corporation and to the Dainty Pastry Shoppe of Latrobe by Senator Kukovich.

Congratulations of the Senate were extended to Mr. and Mrs. John Magera, John Paul Gorel, Charles C. James, Jared Constantine Dukas, Lori B. Doney, Kristy Beth Snyder, Helena Brown, Jacki Ebert, Kristen Heinly, Misti Mroz, Bonnie Eleanor Crossman, Michael Matis, Amanda L. Verill, Christopher Price and to Anthony T. Palischak by Senator Lemmond.

Congratulations of the Senate were extended to the Commonwealth Telephone Company of Dallas by Senator Lemmond and others.

Congratulations of the Senate were extended to Elizabeth A. Underwood, Matthew P. Huenerfauth, Kyle R. Thompson, Michael A. Willard, David J. Engelbrecht and to Mark J. Mullin by Senator Loeper.

Congratulations of the Senate were extended to Mr. and Mrs. William E. Allen, Mr. and Mrs. Willis Spencer, Mr. and Mrs. Earl Heyler, Mr. and Mrs. Glenmar Beatty, Mr. and Mrs. Chester L. Herr, Mr. and Mrs. William Hillyard, Ryan Patrick Callahan, Eric Lerner, Adam Christopher Goff, Gabe Webster, Walter C. Fisk, Jr., and to Michael P. Swain by Senator Madigan.

Congratulations of the Senate were extended to the Honorable Charles C. Brosius by Senator Madigan and others.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Parmenteri, Mr. and Mrs. John A. Scep, Sr., Mr. and Mrs. Gene Cossa, Reverend William F. Purcell, Heather Nicholson, Kathleen C. LoRusso, Catherine Lee Baker, Lynne A. Bender, Catherine Anne Jordan, Mollie L. Rade, Allison Margaret Fitch, Jennifer Robyn Estes, Sarah Kathryn Tighe, Alicia Elizabeth Hayhurst, Nicholas Cerra, Peter Giermanski, Don Broderick and to the North Pocono High School Boys Track and Field Team by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. LeRoy S. Stroup, Mr. and Mrs. Melvin E. Spahr, Patricia Behrens Cameron, George Alfred Beane III, Jeanette R. Watts, Craig E. Ford, Ian McPherson Armstrong, Commonwealth Telephone Company of Dallas and to the Central Pennsylvania Triumph Club of Mechanicsburg by Senator Mowery.

Congratulations of the Senate were extended to Matthew Michael Yalch by Senators Mowery and Delp.

Congratulations of the Senate were extended to Molly Thompson, Melissa Kathryn Mizwa, Dana Christopher Larson, Ronald Dziezgowski, Fred Paganico, Lisa Turske, Jason Striner, John Hreha, David Williams, Brandy M. Scalise, Julie Ann Kochin, Ryan Scott Heider and to Andrew Fennell by Senator Murphy.

Congratulations of the Senate were extended to Mr. and Mrs. Gerald Ferry, Reverend William F. Hines, Reverend J. William Hines, Reverend Albert J. Augustyn, Nicholas D. Volpetti, Sister M. Celesta Sinisi and to Alicia Rapson by Senator Musto.

Congratulations of the Senate were extended to Charlie G. Haynes, Christ (Mertz) Evangelical Lutheran Church of Dryville, descendants of Anna Elizabeth (Kleiss) and Johannes Leinbach, Sr., and to Trinity Lutheran Church of Topton by Senator O'Pake.

Congratulations of the Senate were extended to Nancy Lee Grady, Patricia C. Graves, Patricia A. Taylor, George Banks and to Edward B. Carskadon II by Senator Piccola.

Congratulations of the Senate were extended to Charles Nitterhouse VFW Post 1599 of Chambersburg by Senator Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Lester Minnich, Mr. and Mrs. Donald Lee, Jamie Lee Naftzinger, Martha Olive Hain, Melinda Spence and to the Schuylkill Haven High School Boys Varsity Basketball Team by Senator Rhoades.

Congratulations of the Senate were extended to Joshua Adam Masters, Chad William Sheasley, George E. Lilley, Greg Morrow, Jeffrey J. Law, Steven A. Sochor, Daniel J. Kurtz, Hugh P. Ringer, Viking Tool & Gage, Inc., of Conneaut Lake, Rynd Home Farm of Cochranon, Regenex Corporation of West Middlesex, Hold-E-Zee Ltd., of Meadville and to the Meadville Fire Police by Senator Robbins.

Congratulations of the Senate were extended to Saint Katherine of Siena Roman Catholic Church of Philadelphia and to the Northeast Council of Senior Citizens, Inc., by Senator Salvatore.

Congratulations of the Senate were extended to Reverend Canon H. Gregory Smith, Millie Bibbs, Ann Robinson-Gordon, Dr. Carroll Weinberg and to the Germantown Historical Society by Senator Schwartz.

Congratulations of the Senate were extended to Esther Staab, Carl Wolcott, Dana L. Scouten, Christopher Nuhfer and to Sweden Valley Manor, HCF, Inc., by Senator Slocum.

Congratulations of the Senate were extended to Mr. and Mrs. Peter Joseph Kanaitis, Mr. and Mrs. Charles R. Slagle, Mr. and Mrs. Richard D. Harmon, Mr. and Mrs. Jim Bence, James Craig Zerfoss, Jeaniva A. Toland, Joseph P. Rusin and to James Dale Keller by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Walter Kuch, Florence Palumbo Calabro and to the Volunteers of the National Road Festival by Senator Stout.

Congratulations of the Senate were extended to Pastor Kenneth Floyd McCoy and to the Kennedy Crossan Elementary School of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to Anthony M. Felix, John R. Batley, Sarah E. Peck and to Atglen Fire Company No. 1 by Senator Thompson.

Congratulations of the Senate were extended to The Arc of Chester County by Senators Thompson and Gerlach.

Congratulations of the Senate were extended to Reverend Thomas D. Homa, Christopher Rose, Thomas J. Nitterour, James D.M. Bock, Andrew James Burd, Vincent E. McBride, Jennie Harris, Margaret R. Kelly, Walter T. Kelly, Harry H. Lee, Jr., Grace Michael, Adele Miller, Dorothy I. Wilson, Ethel H. Laskowski, Elsie P. Van Vossen, Emidio Sabatini, Richard L. Sultzbach, Emidio J. Tosti, Elizabeth M. Tryon, Clara L. Van Sant, Eugene S. Spadaccino, Eleanor Whitlock, Mary

T. Ancker, Larry A. Cerasoli, Jean C. Balderston, Charles Bassett, Jr., Emilie Frank, Eleanor R. Fisher, George Kimbel Faust, John D. Dougherty, Pauline Pica, Katherine E. Fisher, Anna M. Mulligan, Louis P. Niccol, Frank Profy, Theresa D. Niccol, Della D. Heisner and to the SIGN-SATION, Children's Sign Language Choir, of Levittown by Senator Tomlinson.

Congratulations of the Senate were extended to Diane Beyer, Michael Stanley Suswal, Coral Johnson, Susie Meckes, Alison Folk, Jen Shoemaker, Fannie J. Rumolo, Julie Lynn Kochler, Amanda Ellis, Lisa Olson, Jennifer Weidman, MaryEllen Shuman, H. F. Hawkey, Nicholas Henshue and to the citizens of the Borough of West Easton by Senator Uliana.

Congratulations of the Senate were extended to Reverend Donald H. Knapp by Senators Uliana and Afflerbach.

Congratulations of the Senate were extended to the Delaware River Sojourn by Senator Uliana and others.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony G. Zusinas, Joseph Populo, Walter Kerecz, Michael Moran, Conair Group and to Duff's Business Institute Class of 1996-1997 by Senator Wagner.

Congratulations of the Senate were extended to Mr. and Mrs. Elwood H. Farr and to Women in Military Service For America by Senator Wenger.

Congratulations of the Senate were extended to Dave Hrovat, Robyn Annika Hill, Joanna Wilson, Patricia Pazzint, Severn Wright and to Ian Anderson by Senator White.

Congratulations of the Senate were extended to Ala M. Stanford, George H. Seidel, Jr., James M. Trammell, Dorothy Anne Drescher and to the Tristate African-American Cultural Expo by Senator Williams.

Congratulations of the Senate were extended to the Johnstown Lions Club by Senator Wozniak.

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 Albert M. Lerch and to the family of the late J. Evariste Tremblay by Senator Afflerbach.

Condolences of the Senate were extended to the family of the late Thomas P. Gerber by Senator Madigan.

Condolences of the Senate were extended to the family of the late Joe Prentice by Senator Uliana.

BILLS ON FIRST CONSIDERATION

Senator THOMPSON. 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:

HB 1414 and HB 1426.

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

BILLS ON FIRST CONSIDERATION AND REREFERRED

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

The motion was agreed to.

The bills were as follows:

SB 10, SB 123, SB 999.

And said bills having been considered for the first time.

Upon motion of Senator LOEPER, and agreed to, the bills just considered were rereferred to the Committee on Appropriations.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 3, 1997

10:00 A.M.	INTERGOVERNMENTAL AFFAIRS (to consider Senate Bill No. 977 and Senate Resolutions No. 12 and 38)	Room 8E-B East Wing
11:00 A.M.	BANKING AND INSURANCE (to consider Senate Bill No. 23; House Bill No. 366; and any other business that may come before the Committee)	Room 461 Main Capitol
11:30 A.M.	JUDICIARY (public hearing on the nominations of Richard A. Kipp and Barbara K. Wright Drescher as members of the PA Board of Probation and Parole and committee meeting to consider Senate Bills No. 54, 386, 461, 658 and 778; and House Bills No. 114, 413, 1048 and 1341)	Room 8E-B East Wing
11:30 A.M.	LABOR AND INDUSTRY (to consider Senate Bills No. 888, 890 and 986; and House Bills No. 440 and 711)	Rules Cmte. Conf. Rm.
12:45 P.M.	APPROPRIATIONS (to consider Senate Bills No. 10, 123 and 999)	Room 461 Main Capitol

WEDNESDAY, JUNE 4, 1997

9:30 A.M.	COMMUNITY AND ECONOMIC DEVELOPMENT (to consider the nomination of Samuel McCullough as Secretary of Dept. of Community and Economic Development and any other business that may come before the Committee)	Room 8E-B East Wing
9:30 A.M.	FINANCE (to consider House Bill No. 595 and any other business that may come before the Committee)	Room 461 Main Capitol

THURSDAY, JUNE 5, 1997

9:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on Senate Bill No. 100)	Radisson Hotel Trevose, PA
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WEDNESDAY, JUNE 18, 1997

1:00 P.M.

STATE GOVERNMENT (public hearing
on Senate Bill No. 1)

Room 8E-B
East Wing

ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 3, 1997, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:55 p.m., Eastern Daylight Saving Time.