

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, APRIL 27, 1998

SESSION OF 1998

182ND OF THE GENERAL ASSEMBLY

No. 27

SENATE

MONDAY, April 27, 1998

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

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

PRAYER

The Chaplain, Reverend D. WAYNE BENDER, of Paxton United Methodist Church, Harrisburg, offered the following prayer:

Join me in prayer, please.

Gracious God, in this room Senators from throughout Pennsylvania have gathered throughout our history and sought Your guidance for their actions on behalf of the people of this Commonwealth. They have prayed during critical times of war and conflict, during times of high unemployment and inflation, during times of joy and celebration, during the uncertain times of elections and the times of political stability.

Today we come, confessing that we sometimes take this prayer lightly, as a matter of ritual or a moment of honor for some pastor. Some rarely even attend the opening prayer. Some come to this time of prayer with little expectation that You will truly guide them in their decisionmaking. Rather, many rely on themselves, on their constituents, on their political agendas for their decisionmaking, and so this prayer becomes a simple exercise of protocol.

In these days of relative prosperity for our Commonwealth and nation, we come with confidence on what we have accomplished. Yet, even today we need and seek Your guidance. What these men and women have accomplished on behalf of this State and their geographical regions is commendable. Yet their task is not yet accomplished, nor have their successes been by their own merits alone.

We give thanks for these times, for these Senators, for their spouses and partners, for their families, for their staffs here and in their home offices, for the support staff of the Senate in this room and throughout this Capitol complex, for all those who enable the work of the Senate of this Commonwealth, and for You, gracious God, who has listened and answered our sometimes less than heartfelt prayers. Thank you for all that they together have done.

Now, give to these men and women compassion for the needs of the poor, the children, the unemployed, the underem-

ployed, the homeless, the elderly, the person who does not vote, and reveal the needs of this Commonwealth to them who by Your guidance have the power and the responsibility to work for the common good of all.

Gracious God, today we especially ask Your presence to be with the students and the teachers, as well as the whole community of Edinboro in their time of loss and tragedy. We pray for peace and guidance for each of them and especially for the family of the slain teacher.

Be with us, guide us in our decisions this day. This is our heartfelt prayer. Amen.

The PRESIDENT. The Chair thanks Reverend Bender, who is the guest today of Senator Piccola.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of April 22, 1998.

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.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

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

SB 494.

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to HB 2359.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 5, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE CONCURS IN SENATE AMENDMENTS
BY AMENDING SAID AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 2361**, in which concurrence of the Senate is requested.

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

HOUSE BILL FOR CONCURRENCE

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

April 24, 1998

HB 1228 -- Committee on Environmental Resources and Energy.

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:

April 24, 1998

Senator BELL presented to the Chair **SB 1430**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, regulating appropriations to the Department of Corrections at the State Correctional Institution at Chester.

Which was committed to the Committee on JUDICIARY, April 24, 1998.

Senators CONTI, TOMLINSON, WHITE, FUMO, MELLOW, BRIGHTBILL and COSTA presented to the Chair **SB 1431**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), entitled, as amended, The Fiscal Code, further providing for disposition of abandoned and unclaimed property.

Which was committed to the Committee on FINANCE, April 24, 1998.

Senators PICCOLA, EARLL, THOMPSON, WHITE, SCHWARTZ, TOMLINSON and COSTA presented to the Chair **SB 1432**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled, as amended, The County Code, further providing for annual assessments for county commissioners.

Which was committed to the Committee on LOCAL GOVERNMENT, April 24, 1998.

Senators PICCOLA, RHOADES, COSTA, TOMLINSON and WAGNER presented to the Chair **SB 1433**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for local exchanges and creation of new area codes.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 24, 1998.

Senators GERLACH and ROBBINS presented to the Chair **SB 1434**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for damages resulting from computer data failure.

Which was committed to the Committee on COMMUNICATIONS AND HIGH TECHNOLOGY, April 24, 1998.

Senators BRIGHTBILL and PICCOLA presented to the Chair **SB 1435**, entitled:

An Act amending Titles 26 (Eminent Domain), 42 (Judiciary and Judicial Procedure) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to eminent domain; and making repeals.

Which was committed to the Committee on STATE GOVERNMENT, April 24, 1998.

April 27, 1998

Senators MOWERY, ARMSTRONG, EARLL, HART, KUKOVICH, MELLOW, PUNT, SCHWARTZ, STOUT, TOMLINSON, RHOADES, THOMPSON, WENGER, LEMMOND and SLOCUM presented to the Chair **SB 1436**, entitled:

An Act amending the act of October 5, 1994 (P.L.531, No.78), entitled Human Services Development Fund Act, further providing for allocations.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 27, 1998.

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:

April 22, 1998

Senators AFFLERBACH, EARLL, COSTA, WAGNER, HOLL, THOMPSON, BODACK, WILLIAMS, WENGER, GREENLEAF, BELAN, WHITE, SCHWARTZ, MELLOW and HART presented to the Chair **SR 173**, entitled:

A Resolution declaring May 1998 as "Asian Pacific American Heritage Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 22, 1998.

Senators PUNT, EARLL, LAVALLE, ROBBINS, WAGNER, BELAN, PICCOLA, STOUT, WOZNIAK, GERLACH, TOMLINSON, LEMMOND, BRIGHTBILL, GREENLEAF,

WHITE, THOMPSON, SCHWARTZ, RHOADES and HART presented to the Chair SR 174, entitled:

A Resolution memorializing the Pennsylvania Historical and Museum Commission to establish an advisory committee to provide advice and guidance in the effort to restore Pennsylvania monuments at the Gettysburg National Military Park.

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, April 22, 1998.

Senators KITCHEN, KUKOVICH, BELAN, TARTAGLIONE and STOUT presented to the Chair SR 175, entitled:

A Concurrent Resolution directing temporary suspension of the electronic benefit transfer system in Pennsylvania.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 22, 1998.

April 24, 1998

Senators HART, MURPHY, COSTA, KASUNIC and STOUT presented to the Chair SR 180, entitled:

A Resolution memorializing the Congress of the United States to amend the Federal Telecommunications Act of 1996 to authorize applicable state regulatory agencies to solve shortages of telephone numbers without having to comply with Federal mandates which do not address public safety and welfare concerns.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, April 24, 1998.

Senators MUSTO, HELFRICK, PICCOLA, STOUT, WAGNER, BODACK, WOZNIAK, GERLACH, STAPLETON, BRIGHTBILL, COSTA, BELAN, WENGER, MELLOW, RHOADES and LEMMOND presented to the Chair SR 183, entitled:

A Resolution urging the United States Government to fulfill its financial obligation under the Susquehanna River Basin Compact.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, April 24, 1998.

Senators HUGHES, BODACK, AFFLERBACH, KUKOVICH, WAGNER, WILLIAMS, KITCHEN, TOMLINSON, BELAN, THOMPSON, COSTA, GERLACH, SALVATORE, WHITE, STOUT, MELLOW and SCHWARTZ presented to the Chair SR 184, entitled:

A Resolution commemorating the centennial anniversary of the birth of Paul Robeson.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 24, 1998.

BILLS SIGNED

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

HB 439 and HB 2359.

RESOLUTIONS REPORTED FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following resolutions:

SR 158 (Pr. No. 1831)

A Resolution recognizing the week of May 3 through 9, 1998, as "Chastity Awareness Week" in Pennsylvania and encouraging participation in "Chastity Day" presentations for schools and youth groups.

SR 173 (Pr. No. 1928)

A Resolution declaring May 1998 as "Asian Pacific American Heritage Month" in Pennsylvania.

SR 184 (Pr. No. 1938)

A Resolution commemorating the centennial anniversary of the birth of Paul Robeson.

The PRESIDENT. The resolutions will be placed on the Calendar.

REPORTS FROM COMMITTEES

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

SB 1316 (Pr. No. 1891) (Rereported) (Concurrence)

An Act making appropriations to the Allegheny University of the Health Sciences.

SB 1319 (Pr. No. 1892) (Rereported) (Concurrence)

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

SB 1320 (Pr. No. 1893) (Rereported) (Concurrence)

An Act making an appropriation to the University of the Arts, Philadelphia.

SB 1321 (Pr. No. 1894) (Rereported) (Concurrence)

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

SB 1339 (Pr. No. 1895) (Rereported) (Concurrence)

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

SB 1340 (Pr. No. 1896) (Rereported) (Concurrence)

An Act making appropriations to The Carnegie for the Carnegie Museum of Natural History and the Carnegie Science Center.

SB 1341 (Pr. No. 1897) (Rereported) (Concurrence)

An Act making an appropriation to the Franklin Institute Science Museum.

SB 1342 (Pr. No. 1898) (Rereported) (Concurrence)

An Act making an appropriation to the Academy of Natural Sciences.

SB 1343 (Pr. No. 1899) (Rereported) (Concurrence)

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

SB 1344 (Pr. No. 1900) (Rereported) (Concurrence)

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania.

SB 1345 (Pr. No. 1901) (Rereported) (Concurrence)

An Act making an appropriation to the Everhart Museum in Scranton.

SB 1346 (Pr. No. 1902) (Rereported) (Concurrence)

An Act making an appropriation to the Museum of Scientific Discovery in Harrisburg, Pennsylvania.

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

SB 636 (Pr. No. 668) (Rereported)

An Act amending the act of December 19, 1990 (P.L.799, No.193), entitled County Intermediate Punishment Act, changing definitions; further providing for county intermediate punishment programs; providing for advice to county prison boards; further providing for county intermediate punishment plans and for regulations of the Pennsylvania Commission on Crime and Delinquency; and further providing for use of funds, for application of the act to certain grants and for construction of the act.

SB 664 (Pr. No. 706) (Rereported)

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, further providing for county associations and for the State Association of Township Supervisors.

SB 665 (Pr. No. 707) (Rereported)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), entitled The First Class Township Code, further providing for certain reimbursement.

SB 666 (Pr. No. 708) (Rereported)

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled The Borough Code, further providing for the State Association of Boroughs and for regional borough associations.

HB 1108 (Pr. No. 3467) (Amended) (Rereported)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for assistant district attorneys and for contract procedures.

HB 1628 (Pr. No. 2436) (Rereported)

An Act amending the act of March 30, 1811 (P.L.145, No.99), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purpose," further providing for deferred com-

pensation plans of the Commonwealth and political subdivisions; and making editorial changes.

HB 1756 (Pr. No. 2180) (Rereported)

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for the power to parole.

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request a temporary Capitol leave on behalf of Senator Delp.

The PRESIDENT. Senator Loeper requests a temporary Capitol leave for Senator Delp. Without objection, that leave is granted.

The Chair recognizes the gentleman from Allegheny, Senator Bodack.

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

The PRESIDENT. Senator Bodack requests a temporary Capitol leave for Senator Hughes. Without objection, that leave is granted.

LEAVES OF ABSENCE

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

Senator BODACK asked and obtained leaves of absence for Senator KUKOVICH and Senator WILLIAMS, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION**WEEKLY ADJOURNMENT**

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

In the Senate, April 27, 1998

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 4, 1998, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, May 4, 1998, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

YEA-46

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

Brightbill	Kasunic	Punt	Uliana
Conti	Kitchen	Rhoades	Wagner
Corman	LaValle	Robbins	Wenger
Costa	Lemmond	Salvatore	White
Delp	Loeper	Schwartz	Wozniak
Fumo	Madigan	Slocum	
Gerlach	Mellow	Stapleton	

NAY-0

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

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR JEFFREY E. PICCOLA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, the Senate today is very honored to have with us not just a State champion, not just a national champion, but a group of international champions.

I am very pleased to have here as my guests the Hershey Junior Bears Hockey Team, which very recently won the gold medal by defeating Paris, France, at the Quebec Hockey International Tournament in Quebec, Canada. The group is led by head coach Doug Yingst and assistant coaches Tim Bonenberger and Ed Heckendorn. The young men are in the gallery, and I would appreciate a warm welcome for these international champions from Hershey, Pennsylvania.

The PRESIDENT. Would our special guests please rise so the Senate may acknowledge you.

(Applause.)

The PRESIDENT. The Chair thanks Senator Piccola for those remarks and the attendance of our accomplished team.

GUESTS OF SENATOR JAMES A. RHOADES PRESENTED TO THE SENATE

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

Senator RHOADES. Mr. President, we have in the gallery young boys and girls from the fourth grade of Panther Valley Elementary School. One section is in the gallery, another section is taking pictures on the steps, but I would like the Senate to extend its usual warm welcome to these fine young boys and girls who are visiting here today in the Capitol.

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

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

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

Senator ROBBINS. Mr. President, I have two groups I want to introduce today. First, I am pleased to introduce Michelle Ferguson and Daniel Palyo, who are serving as guest Pages in

the Senate today. Both residents of Mercer County, Michelle is a tenth grader attending Calvary Christian Academy, and Dan is a ninth grader attending Reynolds High School in Greenville. They are accompanied here today by their mothers, Mrs. Jane Ferguson and Mrs. Susan Palyo, who are seated in the Senate gallery.

Please join me in welcoming my guests to the Senate of Pennsylvania.

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

(Applause.)

Senator ROBBINS. Mr. President, we also have a group of eighth graders from Hermitage Middle School, Hermitage, Pennsylvania, visiting the Capitol today. Accompanying the eighth graders is their teacher, Michelle Calvert.

Please join me in welcoming my guests to the Senate of Pennsylvania, if they made it to the gallery at this time.

The PRESIDENT. Would our special guests please rise so the Senate may acknowledge you.

(Applause.)

SOLEMN TRIBUTE OF RESPECT

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

Senator LOEPER. Mr. President, if I could please have the attention of the Members for a moment. Earlier today in the Session when we were asked for leaves of absence, unfortunately Senator Earll could not be with us due to illness. However, Mr. President, Senator Earll had communicated with me earlier today and asked me to bring before the Members of the Senate about the tragedy that occurred this past weekend in Edinboro.

Mr. President, I believe that Senator Robbins would also like to take a minute to speak on the issue, but I think we all are aware of the tragic events that occurred at Edinboro, that unfortunately John Gillette, a science teacher at James W. Parker Middle School in Edinboro, was a victim of a tragic act of violence at an eighth grade graduation dance this past Friday evening. And, Mr. President, I would like to request a moment of silence in Mr. Gillette's memory, but before we do that, if you would recognize Senator Robbins.

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

Senator ROBBINS. Mr. President, in the wake of this tragedy, the community of Edinboro is struggling to make sense of this senseless act. I would like to take this opportunity to ask the Senate to take the time to recognize teacher John Gillette, a constituent of the gentlewoman from Erie, Senator Earll, by taking a moment of silence to reflect on the loss of this talented and respected educator. Our thoughts and prayers are with Mr. Gillette's family, friends, the students and staff of the Edinboro School District, and the people of northwestern Pennsylvania who are coping with this tragedy.

The PRESIDENT. The Chair thanks Senator Robbins for those most appropriate reflections, and the Chair would ask all Members of the Senate to rise as we engage in this moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Mr. John Gillette.)
The PRESIDENT. Thank you.

RECESS

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

Senator LOEPER. Mr. President, at this time I request a recess of the Senate for the purpose of a Republican caucus to begin immediately in the first floor caucus room, with an expectation of returning to the floor at approximately 3:30 p.m.

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

Senator O'PAKE. Mr. President, likewise, I ask that the Senate Democrats meet in the caucus room immediately upon declaration of the recess for a caucus.

The PRESIDENT. For purposes of Republican and Democratic caucuses, with the intention of returning at approximately 3:30 p.m. this afternoon, the Senate stands in recess.

AFTER RECESS

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

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Finance to meet during today's Session to consider Senate Bill No. 1269.

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

Senator SALVATORE, from the Committee on Rules and Executive Nominations, reported a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

DISTRICT JUSTICE

April 7, 1998

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 1998 for the appointment of Mark Navarro, 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as District Justice, in and for the County of Cumberland, Magisterial District 9-03-01, to serve until the first Monday of January 2000, vice Donald W. Daihl, resigned.

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

THOMAS J. RIDGE
Governor

NOMINATION RETURNED TO THE GOVERNOR

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

the Governor.

The motion was agreed to.

The PRESIDENT. The nomination 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:

CONTROLLER, LEBANON COUNTY

March 30, 1998

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert M. Mettley, 22 East Maple Street, Lebanon 17046, Lebanon County, Forty-eighth Senatorial District, for appointment as Controller, in and for the County of Lebanon, to serve until the first Monday of January 2000, vice Lynn Nelson, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

April 1, 1998

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 A. Fluehr, III, 800 Newtown-Richboro Road, Richboro 18954, Bucks County, Tenth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Neil W. Regan, Scranton, whose term expired.

THOMAS J. RIDGE
Governor

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

February 17, 1998

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 H. Jury, 400 Montrose Street, Harrisburg 17110, Dauphin County, Fifteenth 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 STATE BOARD
OF OPTOMETRY

April 1, 1998

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 P. Bushick (Public Member), 509 Main Street, Ranshaw 17866, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the State Board of Optometry, to serve until March 18, 2001 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Sylvester J. Schicatona, Coal Township, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE CONSERVATION
COMMISSION

March 20, 1998

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward D. Kuckuck, 580 North Sixth Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until January 30, 2002, and 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
THADDEUS STEVENS COLLEGE OF TECHNOLOGY

March 20, 1998

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, Camilla L. Collova, 1007 Meadow Hill Drive, Lancaster 17601, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Edward D. Maley, M.D., Lancaster, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

March 30, 1998

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, Frederic M. Wentz, Esquire, 1639 Monk Road, Gladwyne 19035, Montgomery County, Seven-

teenth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six 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 LYCOMING COUNTY
BOARD OF ASSISTANCE

March 26, 1998

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John F. Aderhold (Independent), R. R. #2, Box 235, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Lycoming County Board of Assistance, to serve until December 31, 1998, and until his successor is appointed and qualified, vice Evelyn Hand, Williamsport, whose term expired.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

March 30, 1998

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, Timothy M. Dougherty, 904 North Seventh Street, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as District Justice, in and for the County of Berks, Magisterial District 23-2-02, to serve until the first Monday of January 2000, vice John Dougherty, mandatory retirement.

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.

EXECUTIVE NOMINATION

EXECUTIVE SESSION

Motion was made by Senator SALVATORE,
That the Senate do now resolve itself into Executive Session for the purpose of considering certain nomination made by the Governor.

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

**MEMBER OF THE UNEMPLOYMENT
COMPENSATION BOARD OF REVIEW**

January 15, 1998

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, Anthony J. Gallagher, 511 Strathmore Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Unemployment Compensation Board of Review, to serve until July 1, 2003 and until his successor is appointed and qualified, vice Francis P. Bonner, Hazleton, whose term expired.

THOMAS J. RIDGE
Governor

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

LEGISLATIVE LEAVES

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

Senator LOEPPER. Mr. President, Senator Bell and Senator Rhoades have been called 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 Lackawanna, Senator Mellow.

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

The PRESIDENT. Without objection, those leaves are granted.

And the question recurring,
Will the Senate advise and consent to the nomination?

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

YEA-46

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

NAY-0

A constitutional majority of the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

CALENDAR

Without objection, the bills on today's Calendar were called out of order by Senator LOEPPER, as Special Orders of Business.

THIRD CONSIDERATION CALENDAR

**NONPREFERRED APPROPRIATION BILL
OVER IN ORDER**

HB 2381 -- Without objection, the bill was passed over in its order at the request of Senator LOEPPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 94 (Pr. No. 1818) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1989 (P.L.687, No.90), entitled Mortgage Bankers and Brokers Act, further providing for definitions, for loan correspondents, for limited mortgage broker, for wholesale table funders, for license applications, requirements, exemptions, duration, fees, limitations, suspensions or revocations and for enforcement and penalties.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

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

**BILL ON CONCURRENCE IN HOUSE
AMENDMENTS TO SENATE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

HB 1347 (Pr. No. 3307) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1347?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 1347.

On the question,

Will the Senate agree to the motion?

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

The PRESIDENT pro tempore. Mr. President, this is a relatively simple bill, but its implications are quite huge, for it is about open government. The measure clears the way for taxpayers, voters, and the media to have a much better look at the Senate of Pennsylvania. Some of the information we take for granted around here is difficult for people to obtain quickly or regularly. What bills have been introduced, what committee meetings are scheduled, or what the Calendar looks like from week to week, this is information that is very important to people. While at present this information about the Senate is available, it has not been very accessible to many Pennsylvanians. This bill will ensure that it can be obtained with a few key strokes on the computer.

Mr. President, I know that I have an editor back home who faithfully asks every year why such information is not available. It will be nice to tell him and others that we have joined the age of technology where access to information is indeed all important. Just as the television coverage of our Sessions has helped people see what happens, so will computer access allow interested individuals to track our legislative activity. Mr. President, I certainly urge all Members to concur in bringing us into the technological age.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

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

YEA-46

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

NAY-0

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

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

THIRD CONSIDERATION CALENDAR RESUMED

HB 1520 CALLED UP OUT OF ORDER

HB 1520 (Pr. No. 1842) -- Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER.

BILL AMENDED

HB 1520 (Pr. No. 1842) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER offered the following amendment No. A2280:

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

Section 2. Upon this second passage by the General Assembly of this

Amend Sec. 2, page 2, line 19, by striking out "primary,"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 101 (Pr. No. 1914) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled Liquid Fuels Tax Municipal Allocation Law, defining "court"; and further providing for the maintenance of alleys and courts.

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-46

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 212, SB 491 and SB 668 -- Without objection, the bills
were passed over in their order at the request of Senator
LOEPER.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Hughes has returned, and his
temporary Capitol leave is cancelled.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 698 (Pr. No. 1915) -- The Senate proceeded to consid-
eration of the bill, entitled:

An Act relating to the industrial hygiene and safety professions;
providing protection to the professions of industrial hygiene and safe-
ty.

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-41

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

NAY-5

Afflerbach	Mellow	Rhoades
Madigan	O'Pake	

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 962 (Pr. No. 1609) -- The Senate proceeded to consid-
eration of the bill, entitled:

An Act amending the act of November 17, 1982 (PL.676,
No.192), entitled Manufactured Housing Construction and Safety
Standards Authorization Act, adding definitions; providing for instal-
lation of manufactured homes; establishing additional fees; and estab-
lishing the Industrialized Housing Account.

On the question,
Will the Senate agree to the bill on third consideration?
Senator GERLACH offered the following amendment No.
A2033:

Amend Title, page 1, line 9, by inserting after "definitions;":fur-
ther providing for manufactured home standards;

Amend Title, page 1, line 10, by striking out "and"

Amend Title, page 1, line 11, by removing the period after "Ac-
count" and inserting: ; and further providing for labeling requirement
and for administration of act.

Amend Sec. 1, page 1, line 14, by striking out "definition of
"department"" and inserting: definitions of "department" and "person"

Amend Sec. 1, page 1, line 17, by striking out "is" where it ap-
pears the first time and inserting: are

Amend Sec. 1 (Sec. 2), page 2, line 1, by striking out "'Certified
installer" or "installer."" and inserting: "Certified installer."

Amend Sec. 1 (Sec. 2), page 2, line 14, by striking out all of said
line and inserting:

"Installer." A manufacturer, dealer or other person engaged in
the installation of manufactured homes on site, regardless of whether
certified under section 3.1.

* * *

"Person." An individual, partnership, company, limited liability
company, corporation [or association engaged in manufacturing or
selling manufactured homes.], association or other entity engaged in
manufacturing, selling or installation of manufactured homes.

Section 2. Section 3 of the act is amended to read:
Section 3. Establishment of manufactured home standards.

(a) All manufactured homes manufactured [and], sold or offered for sale or installed in this Commonwealth, or manufactured in this Commonwealth and sold or offered for sale outside of the Commonwealth, shall meet the manufactured home construction and safety standards adopted by the United States Department of Housing and Urban Development pursuant to the National Manufactured Home Construction and Safety Standards Act of 1974, as amended. In addition, the manufactured homes shall comply with any additional standards determined by the department to be necessary to reduce personal injuries and deaths, to reduce insurance costs and property damage resulting from accidents or to improve the quality and durability of manufactured homes when no construction or safety standard has been established by the United States Department of Housing and Urban Development to deal with a construction or safety issue identified by the department.

(b) The department may adopt regulations necessary to carry out the provisions of this act. If the manufactured home construction and safety standards adopted by the United States Department of Housing and Urban Development, or any section, part or provisions thereof, is changed, altered or amended, the department may adopt regulations which are reasonably consistent with or identical to the standards, as changed, altered or amended.

(c) The department shall hold hearings on the regulations proposed to be adopted, amended or repealed in accordance with the provisions of and no regulation shall be effective unless adopted pursuant to the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting:
3

Amend Sec. 2, page 2, line 15, by striking out "sections" and inserting: a section

Amend Sec. 2 (Sec. 3.1), page 2, line 28, by inserting after "each": certified

Amend Sec. 2 (Sec. 3.1), page 3, line 3, by striking out "an" and inserting: a certified

Amend Sec. 2 (Sec. 3.1), page 3, line 13, by striking out "sub-rules" and inserting: plans

Amend Sec. 2 (Sec. 3.1), page 4, line 27, by striking out "or"

Amend Sec. 2 (Sec. 3.1), page 5, line 1, by removing the period after "home" and inserting: ; or

Amend Sec. 2 (Sec. 3.1), page 5, by inserting between lines 1 and 2:

(iii) any responsibility or liability arising under Federal law.

Amend Sec. 2 (Sec. 3.1), page 5, line 3, by striking out ", when completed, will" and inserting: shall

Amend Sec. 2 (Sec. 3.1), page 5, line 4, by inserting after "act":
The certified installer shall retain a copy of the certificate.

Amend Sec. 2 (Sec. 3.1), page 5, line 5, by striking out "the" where it appears the first time

Amend Sec. 2 (Sec. 3.1), page 5, lines 5 and 6, by striking out "the following" in line 5 and all of line 6 and inserting: copies shall be submitted:

Amend Sec. 2 (Sec. 3.1), page 5, lines 7 through 15, by striking out all of said lines and inserting:

(1) To the department.

(2) To the manufacturer.

(3) To the manufactured housing dealer.

(4) To the manufactured housing owner.

Amend Sec. 2 (Sec. 3.1), page 5, lines 26 and 27, by striking out "shall have the authority to" and inserting: may

Amend Sec. 2 (Sec. 3.1), page 5, line 27, by inserting after "any":
certified

Amend Sec. 2 (Sec. 3.1), page 5, lines 28 through 30, by striking out all of said lines and inserting: if the department determines that installation and setup were performed in violation of

Amend Bill, page 6, by inserting between lines 3 and 4:

Section 4. Sections 5 and 7 of the act are amended to read:
Section 5. Label required; violations.

(a) Following the effective date of this act, no person may sell [or], offer for sale or install in this Commonwealth or manufacture within this Commonwealth and sell or offer for sale outside this Commonwealth any manufactured home unless it bears a label certifying that such manufactured home meets or exceeds the manufactured home standards and department regulations established by this act. Such label shall be displayed in the manner prescribed by the United States Department of Housing and Urban Development.

(b) No person may affix a label to any manufactured home which does not meet or exceed the requirements of the manufactured home standards and department regulations established by this act.
Section 7. Administration of act.

(a) The department is charged with the administration of this act. It shall have the power to adopt, amend and repeal the regulations referred to in section 3. The department is authorized to enter into interdepartmental agreements for the purposes of administration of this act. The department may enter into agreements with the United States Department of Housing and Urban Development to assume responsibility for enforcement of the manufactured home standards and may join with other states or public or private agencies for such purposes.

(b) Any authorized representative or employee of the department, at reasonable times, may enter any factory, warehouse or establishment in the Commonwealth in which manufactured homes are manufactured, stored or held for sale, for the purpose of ascertaining whether the requirements of this act and the regulations of the department have been and are being met.

(c) No person may interfere, obstruct or hinder an authorized representative of the department in the performance of his duties as set forth in the provisions of this act.

(d) Each manufacturer, distributor [and], dealer and installer of manufactured homes shall establish and maintain such records, make such reports and provide such information as the department or the United States Department of Housing and Urban Development may reasonably require to be able to determine whether such manufacturer, distributor [or], dealer or installer has acted and is acting in compliance with this act and the department regulations. Upon request of a person duly designated by the department, each manufacturer, distributor [or], dealer or installer of manufactured homes shall permit such person to inspect appropriate books, papers, records and documents relative to determining whether such manufacturer, distributor [or], dealer or installer has acted and is acting in compliance with this act and the department regulations.

Section 5. The act is amended by adding a section to read:

Amend Sec. 3, page 6, line 13, by striking out "3" and inserting:
6

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

ANNOUNCEMENT BY MAJORITY LEADER

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

Senator LOEPER. Mr. President, at this time I would like to call up Senate Supplemental Calendar No. 1, the non-preferreds, and run through those. However, before we do that, I request that while we are in the process of doing that, we have an off-the-floor meeting of the Committee on Finance in the Rules room, and could we announce that at this time.

The PRESIDENT. Senator Loeper asks that all Members of the Committee on Finance make their way to the Rules room.

Simultaneously, we will act on the nonpreferred appropriation bills up for concurrence.

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1316 (Pr. No. 1891) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Allegheny University of the Health Sciences.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1316?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1316.

On the question,

Will the Senate agree to the motion?

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

YEA-46

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1319 (Pr. No. 1892) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1319?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1319.

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

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

YEA-46

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1320 (Pr. No. 1893) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1320?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1320.

On the question,

Will the Senate agree to the motion?

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

YEA-46

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1321 (Pr. No. 1894) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1321?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1321.

On the question,

Will the Senate agree to the motion?

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

YEA-46

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1339 (Pr. No. 1895) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1339?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1339.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1340 (Pr. No. 1896) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to The Carnegie for the Carnegie Museum of Natural History and the Carnegie Science Center.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1340?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1340.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1341 (Pr. No. 1897) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Franklin Institute Science Museum.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1341?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1341.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1342 (Pr. No. 1898) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1342?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1342.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1343 (Pr. No. 1899) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1343?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1343.

On the question,

Will the Senate agree to the motion?

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

YEA-44

Afflerbach	Gerlach	Madigan	Schwartz
Armstrong	Greenleaf	Mellow	Slocum
Belan	Hart	Mowery	Stapleton
Bell	Holl	Murphy	Stout
Bodack	Hughes	Musto	Tartaglione
Brightbill	Jubelirer	O'Pake	Thompson
Conti	Kasunic	Piccola	Tilghman
Corman	Kitchen	Punt	Tomlinson
Costa	LaValle	Rhoades	Wagner

Delp	Lemmond	Robbins	Wenger
Fumo	Loeper	Salvatore	White

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1344 (Pr. No. 1900) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1344?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1344.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1345 (Pr. No. 1901) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Everhart Museum in Scranton.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1345?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1345.

On the question,

Will the Senate agree to the motion?

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

YEA-44

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

NAY-2

Uliana Wozniak

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1346 (Pr. No. 1902) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Museum of Scientific Discovery in Harrisburg, Pennsylvania.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1346?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1346.

On the question,

Will the Senate agree to the motion?

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

YEA-44

Afflerbach	Gerlach	Madigan	Schwartz
Armstrong	Greenleaf	Mellow	Slocum
Belan	Hart	Mowery	Stapleton
Bell	Holl	Murphy	Stout
Bodack	Hughes	Musto	Tartaglione
Brightbill	Jubelirer	O'Pake	Thompson
Conti	Kasunic	Piccola	Tilghman
Corman	Kitchen	Punt	Tomlinson
Costa	LaValle	Rhoades	Wagner

Delp	Lemmond	Robbins	Wenger
Fumo	Loeper	Salvatore	White

NAY-2

Uliana Wozniak

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

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

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 970 and SB 1051 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL AMENDED

SB 1205 (Pr. No. 1826) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, imposing limits on the exercise of certain trustee powers and the ability of beneficiaries to appoint trustees under certain circumstances.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A2062:

Amend Title, page 1, line 5, by removing the period after "circumstances" and inserting: ; and further providing for persons who may execute anatomical gifts.

Amend Bill, page 7, by inserting between lines 13 and 14:

Section 2. Section 8611(a) of Title 20 is amended to read:

§ 8611. Persons who may execute anatomical gift.

(a) General rule.—Any individual of sound mind and 18 years of age or more may give all or any part of his body for any purpose specified in section 8612 (relating to persons who may become donees; purposes for which anatomical gifts may be made), the gift to take effect upon death. Any individual who is a minor and 16 years or age or older may effectuate a gift for any purpose specified in section 8612, provided parental or guardian consent is deemed given. Parental or guardian consent shall be noted on the minor's donor card, application for the donor's learner's permit or driver's license or other document of gift. A gift of the whole body shall be invalid unless made in writing at least 15 days prior to the date of death[.] or consent is obtained from the legal next of kin. Where there are adult children of the deceased who are not children of the surviving spouse, their consent shall also be required for a gift of the whole body for anatomical study.

Amend Sec. 2, page 7, line 14, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

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

YEA-33

Afflerbach	Greenleaf	Murphy	Thompson
Armstrong	Hart	Musto	Tilghman

Bell	Holl	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Uliana
Conti	LaValle	Punt	Wenger
Corman	Lemmond	Rhoades	White
Costa	Loeper	Robbins	
Delp	Madigan	Salvatore	
Gerlach	Mowery	Slocum	

NAY-13

Belan	Kasunic	Stapleton	Wozniak
Bodack	Kitchen	Stout	
Fumo	Mellow	Tartaglione	
Hughes	Schwartz	Wagner	

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

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

BILL OVER IN ORDER

SB 1384 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL LAID ON THE TABLE

HB 1778 (Pr. No. 2385) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for obscene and other sexual materials.

Upon motion of Senator LOEPER, and agreed to, the bill was laid on the table.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 9 (Pr. No. 2510) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 26, 1992 (P.L.322, No.64), known as the Agriculture Education Loan Forgiveness Act, further providing for expiration of act.

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

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

BILL OVER IN ORDER

SB 555 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS REREFERRED

HB 728 (Pr. No. 3282) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Stat-

utes, further providing for unlawful restraint, for false imprisonment and for obscenity; and further providing for sex offender treatment.

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

SB 930 (Pr. No. 1921) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), entitled Agricultural Area Security Law, further providing for the State Agricultural Land Preservation Board; providing for local government unit participation; and making editorial changes.

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

BILLS OVER IN ORDER

SB 1248, SB 1249 and SB 1250 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL REREFERRED

SB 1296 (Pr. No. 1677) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, Second Class County Code, further providing for county employee retirement allowances.

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

BILL ON SECOND CONSIDERATION

SB 1387 (Pr. No. 1837) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for an offense relating to habitual offenders.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 1423 (Pr. No. 1922) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1994 (P.L.900, No.130), entitled Agriculture-Linked Investment Program Act, further providing for legislative intent, for definitions, for the nature and implementation of the program and for liability.

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

BILL OVER IN ORDER

HB 1979 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 2098 (Pr. No. 2747) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of May 2, 1901 (P.L.131, No.98), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."

Considered the second time and agreed to,

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

UNFINISHED BUSINESS REPORT FROM COMMITTEE

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

SB 1269 (Pr. No. 1623)

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for a supplemental annuity; adding definitions; further providing for actuarial cost method, for set-aside special contribution rates and for annuity reserve account; and providing for a supplemental annuity reserve account.

SENATE RESOLUTIONS ADOPTED

Senators TARTAGLIONE, LAVALLE, BODACK, COSTA, WOZNIAC, WAGNER, O'PAKE and KITCHEN, by unanimous consent, offered **Senate Resolution No. 186**, entitled:

A Resolution declaring May 1, 1998, as "Working Together for Kids Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I ask that the resolution remain at the desk for Members who may wish to co-sponsor.

The PRESIDENT. That will be done.

And the question recurring,

Will the Senate adopt the resolution?

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

Senator MELLOW, by unanimous consent, offered **Senate Resolution No. 187**, entitled:

A Resolution declaring the first Tuesday of June as "Pennsylvania Anti-Violence Day."

Which was read, considered and adopted.

Senators MOWERY, BRIGHTBILL, ROBBINS, EARLL, CONTI, KASUNIC, LAVALLE, STAPLETON, AFFLERBACH, WHITE, HELFRICK, WAGNER, LOEPER, BELAN, TILGHMAN, MUSTO, COSTA, WENGER, STOUT, THOMPSON, FUMO, BELL, CORMAN, GERLACH,

O'PAKE, TOMLINSON, GREENLEAF, RHOADES, SCHWARTZ, MELLOW, MADIGAN, HART and LEMMOND, by unanimous consent, offered **Senate Resolution No. 188**, entitled:

A Resolution declaring the week of May 17 through 23, 1998, as "Emergency Medical Services Week"; declaring May 17, 1998, as "Citizen Recognition and Appreciation Day"; and declaring May 23, 1998, as "Emergency Medical Services Day" in Pennsylvania.

Which was read, considered and adopted.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Robert W. Wellons by Senator Afflerbach.

Congratulations of the Senate were extended to Reverend Dennis J. Colamarino and to Richard John Evanchech by Senator Belan.

Congratulations of the Senate were extended to John L. Skanderson, Jr., and to the Greater Pittsburgh Ten Pin Bowling Association by Senator Bodack.

Congratulations of the Senate were extended to the YMCA Youth and Government Program by Senator Brightbill and others.

Congratulations of the Senate were extended to CONTACT of Bucks County by Senator Conti.

Congratulations of the Senate were extended to the Pennsylvania State University Wrestling Team by Senator Corman.

Congratulations of the Senate were extended to the Carrick Business Association by Senator Costa.

Congratulations of the Senate were extended to the Downingtown High School Girls' Basketball Team by Senator Gerlach.

Congratulations of the Senate were extended to Mr. and Mrs. Elijah Grant Crossley, Mr. and Mrs. Dayton W. Hess, Mr. and Mrs. James J. Lewis and to the Area Polish Cultural Club of Mount Carmel by Senator Helfrick.

Congratulations of the Senate were extended to Gene Benson, Bill Cash, Mahlon Duckett, Stanley Glenn and to Larry Kimbrough by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Ross Lauder, Sr., and to the Home Nursing Agency of Altoona by Senator Jubelirer.

Congratulations of the Senate were extended to Curtis Radford by Senator Kasunic.

Congratulations of the Senate were extended to Mr. and Mrs. Clyde Drummond, Sr., and to Russell Stith by Senator Kitchen.

Congratulations of the Senate were extended to the Derry Area Midget Cheerleading Squad by Senator Kukovich.

Congratulations of the Senate were extended to Dr. Samuel A. DePaul, Dr. Paul R. Dinello, Jr., Edward T. Elder, Dr. Susan P. Goodwin, Nicholas P. Trombetta and to the Board of Commissioners of Beaver County by Senator LaValle.

Congratulations of the Senate were extended to Helen Dorothy Slick and to Eric G. Warner by Senator Lemmond.

Congratulations of the Senate were extended to Luke E. Debevec and to Abigail L. Montgomery by Senator Loeper.

Congratulations of the Senate were extended to Cora Pfahler by Senator Mellow.

Congratulations of the Senate were extended to Richard J. Smith and to Trinity Evangelical Lutheran Church of Camp Hill by Senator Mowery.

Congratulations of the Senate were extended to the Reading-Berks Habitat for Humanity by Senator O'Pake.

Congratulations of the Senate were extended to Willie James Holland and to Mike Ross by Senator Piccola.

Congratulations of the Senate were extended to Edward Marberger and to the Mahanoy Area High School Girls' Basketball Team by Senator Rhoades.

Congratulations of the Senate were extended to The Most Excellent Assembly of the Artisans Order of Mutual Protection of Philadelphia by Senator Salvatore.

Congratulations of the Senate were extended to Ann J. Land by Senator Schwartz.

Congratulations of the Senate were extended to Matilda Dorisio by Senator Stout.

Congratulations of the Senate were extended to Ronald B. Gross by Senator Tilghman.

Congratulations of the Senate were extended to the Bucks County Technical School by Senator Tomlinson.

Congratulations of the Senate were extended to Stuart J. Albert, Lucas Melchor Lorhman and to Theresa Smollinger by Senator Uliana.

Congratulations of the Senate were extended to Temple Israel of Stroudsburg by Senator Uliana and others.

Congratulations of the Senate were extended to Nathan Suehr by Senator Wagner.

Congratulations of the Senate were extended to Leatha Dudeck Baker, Dr. Fred F. Bartok, Bill Beatty, Nunzio Esposito, Eugene Houllion, Dr. Thomas W. King, Jr., Dick Madison, Helen Phillips, David Pichler, Bill Quigley and to Dr. J. William Shiner by Senator White.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony J. Dziabo, Mr. and Mrs. George S. Lohr, Mr. and Mrs. Glen Roseman, Leonard Black and to His Eminence, Metropolitan Nicholas, 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 William H. Brown, Jr., by Senator Armstrong.

Condolences of the Senate were extended to the family of the late Monsignor Laurence F. Kelly by Senator Thompson.

BILL ON FIRST CONSIDERATION AND REREFERRED

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

The motion was agreed to.

The bill was as follows:

SB 1269.

And said bill having been considered for the first time.

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

April 27, 1998

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 (Public Member), 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 4, 2000 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Austin R. Morris, Huntingdon, resigned.

THOMAS J. RIDGE
Governor

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

April 27, 1998

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 T. Book, 4534 West Barlind Drive, Pittsburgh 15227, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John J. Lavelle, Jr., Clarks Summit, whose term expired.

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 BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER**

April 27, 1998

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 January 23, 1998 for the reappointment of M. Lee Hartzok, 270 Overhill Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER**

April 27, 1998

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 January 23, 1998 for the reappointment of Frederick A. Reddig, 108 Park Place West, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

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

THOMAS J. RIDGE
Governor

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, APRIL 28, 1998

9:00 A.M.	EDUCATION (to consider Senate Bill No. 1388 and any other business that may come before the Committee) CANCELLED	Room 8E-B East Wing
9:30 A.M.	Consumer Protection and Professional Licensure (to consider House Bill No. 2194; and Architect Board Final Regulation No. 16A-413)	Majority Caucus Rm.
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 634 and 938; and House Bills No. 135, 1597 and 1873)	Room 461 Main Capitol
10:30 A.M.	FINANCE (to consider Senate Bill No. 1206)	Room 8E-B East Wing

11:30 A.M. JUDICIARY (public hearing and committee meeting to consider the nominations of Terrence F. McVerry, Esq., Judge, Court of Common Pleas, Allegheny Co., Eugene F. Scanlon, Jr., Esq., Judge, Court of Common Pleas, Allegheny Co., Terrence R. Nealon, Esq., Judge, Court of Common Pleas, Lackawanna Co., and Thomas F. Burke, Jr., Esq., Judge, Court of Common Pleas, Luzerne Co.; and to consider Senate Bill No. 1396 and House Bill No. 1992) Room 8E-B East Wing

12:45 P.M. APPROPRIATIONS (to consider Senate Bill No. 1269) Room 461 Main Capitol

12:45 P.M. RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 5, 220, 284 and 669; Senate Resolution No. 185; and certain executive nominations) Rules Cmte. Conf. Rm.

WEDNESDAY, APRIL 29, 1998

10:45 A.M. MILITARY AND VETERANS AFFAIRS (to consider Senate Resolution No. 174) Rules Cmte. Conf. Rm.

1:00 P.M. JUDICIARY (public hearing on House Bill No. 565) Room 8E-B East Wing

MONDAY, MAY 4, 1998

1:00 P.M. GAME AND FISHERIES (to consider Senate Bills No. 304, 1232 and 1429; and any other business that may come before the Committee) Room 8E-B East Wing

1:00 P.M. LOCAL GOVERNMENT (to consider House Bill No. 1173) Room 8E-A East Wing

TUESDAY, MAY 5, 1998

9:00 A.M. COMMUNICATIONS AND HIGH TECHNOLOGY (public hearing on Senate Bill No. 937, Telemedicine) Room 8E-A East Wing

9:30 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 1091; and House Bill No. 558) Room 8E-B East Wing

WEDNESDAY, JULY 1, 1998

9:30 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on competition in the telephone industry) Majority Caucus Rm.

WEDNESDAY, JULY 15, 1998

9:30 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing to consider a progress report on Natural Gas Deregulation) Majority Caucus Rm.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1520 (Pr. No. 3470) -- The Senate proceeded to consideration of the bill, entitled:

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

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-41

Afflerbach	Greenleaf	Murphy	Thompson
Armstrong	Hart	Musto	Tilghman
Belan	Holl	O'Pake	Tomlinson
Bell	Jubelirer	Piccola	Uliana
Bodack	Kasunic	Punt	Wagner
Brightbill	LaValle	Rhoades	Wenger
Conti	Lemmond	Robbins	White
Corman	Loeper	Salvatore	Wozniak
Costa	Madigan	Slocum	
Delp	Mellow	Stapleton	
Gerlach	Mowery	Stout	

NAY-5

Fumo	Kitchen	Schwartz	Tartaglione
Hughes			

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.

BILLS SIGNED

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

SB 1316, SB 1319, SB 1320, SB 1321, SB 1339, SB 1340, SB 1341, SB 1342, SB 1343, SB 1344, SB 1345, and SB 1346.

ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 28, 1998, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 5:30 p.m., Eastern Daylight Saving Time.