

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, NOVEMBER 23, 1998

SESSION OF 1998

182ND OF THE GENERAL ASSEMBLY

No. 47

SENATE

MONDAY, November 23, 1998

The Senate met at 1 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend GARRY L. FOWLER, Manager of Pastoral Services of Brandywine Hospital, Coatesville, offered the following prayer:

Almighty God, You who are the source of all truth, wisdom, justice, and love, we give thanks to You for Your many blessings that You have placed upon our great nation. Indeed, O God, we thank You for the privilege of living in America, the land of the free and the home of the brave.

I come before you, O God, asking for Your rich blessing to rest upon our Governor, our Senators, our Representatives. We pray that You would grant to them wisdom, courage, and strength to perform the work they have been placed in office to do. When they are discouraged, give them hope and encouragement, and when they are tired, give them new strength and restore their confidence in Your power and in Your purpose for their lives. Teach us, O God, how to meet and conquer our temptations and frustrations

We pray for our nation's President and all of our nation's leaders, that You will enlighten, strengthen, and guide them. Continue, O God, to give Your blessing and protection to our great nation, the United States of America.

All these things we pray in Thy holy name. Amen.

The PRESIDENT. The Chair thanks Reverend Fowler, who is the guest today of Senator Gerlach.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 18, 1998.

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

COMMUNICATION FROM THE GOVERNOR

RECALL COMMUNICATION REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF NURSING

November 20, 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 June 17, 1998 for the appointment of Linda G. Trabucco, Esquire (Public Member), 3 Douglas Lane, Chester Springs 19425, Chester County, Forty-fourth Senatorial District, as a member of the State Board of Nursing, to serve until November 10, 1998 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Gabriel, Grantham, resigned.

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

THOMAS J. RIDGE Governor

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:

November 18, 1998

Senators HUGHES, FUMO, LAVALLE, BRIGHTBILL, KITCHEN, WAGNER, THOMPSON, BODACK, KUKOVICH, MELLOW, STOUT, O'PAKE, WILLIAMS, MURPHY, GERLACH, TOMLINSON and BELAN presented to the Chair SR 247, entitled:

A Resolution designating 1998 as "Sarcoidosis Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, November 18, 1998.

Senators SLOCUM and PUNT presented to the Chair **SR 250**, entitled:

A Resolution proclaiming November 1998 as "Microenterprise Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, November 18, 1998.

APPOINTMENTS BY PRESIDENT PRO TEMPORE

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

Mr. Peter DePaul as a Commonwealth Trustee of Temple University.

Ms. Patricia W. Barnes as a member of the Health Care Cost Containment Council.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given to the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bills No. 56, 95, 279, 541, Senate Resolutions No. 247, 250, and certain nominations.

REPORTS FROM COMMITTEE

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

HB 2664 (Pr. No. 4081) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for court-appointed special advocates in juvenile matters.

HB 2858 (Pr. No. 4145) (Rereported)

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and neighborhood improvement districts; providing for annual audits; and making repairs.

LEGISLATIVE LEAVES

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

Senator BODACK. Mr. President, I request a legislative leave for Senator Kasunic, and a temporary Capitol leave for Senator Williams.

The PRESIDENT. Senator Bodack requests a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Kasunic. Without objection, those leaves are granted.

LEAVES OF ABSENCE

Senator BRIGHTBILL asked and obtained leaves of absence for Senator PUNT and Senator TOMLINSON, for today's Session, for personal reasons.

CALENDAR

BILLS OUT OF ORDER

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

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1193 (Pr. No. 2301) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a section of Allegheny Avenue (SR 1013) in Philadelphia County, Pennsylvania, as Roxanne H. Jones Avenue; designating Route 78 in Lebanon County as the 78th Division Highway; designating a section of State Route 222 as the Prisoner of War/Missing in Action Highway; and designating the Arthur F. Detisch Memorial Bridge in Erie County.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 1193?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 1193.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

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

PERMISSION TO ADDRESS

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

Senator KITCHEN. Mr. President, I would like to thank my colleagues for honoring and helping us to give a lasting testimony to the first African-American woman to serve in the Pennsylvania Senate, and I would also like to note there was never any question here among my colleagues when we were working on the bill. Everyone was cooperative, and it means a lot in the district and in the city of Philadelphia, as well as to the family of Senator Jones. So once again, I would like to thank my colleagues. It is a class act.

The PRESIDENT. Thank you, Senator Kitchen.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR HAROLD F. MOWERY
PRESENTED TO THE SENATE**

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

Senator MOWERY. Mr. President, today I would like to introduce to the Senate a constituent of mine who is taking part in a shadowing program for East Pennsboro High School. Amanda Calik, a senior, will be with me for one day a month to learn about State government. She is the oldest daughter of Robert and Michelle Calik of Enola. She is a drum major for the East Pennsboro Marching Band, and is a varsity cheerleader. She is also the community service director for her school and does a lot of community service activities such as helping at the Pennsylvania State Museum and the Harrisburg Arts Festival. Please give a warm welcome to Amanda Calik.

The PRESIDENT. Would the Senate please give its usual warm welcome to Amanda Calik.

(Applause.)

**GUEST OF SENATOR MARY JO WHITE
AND SENATOR WILLIAM L. SLOCUM
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator White.

Senator WHITE. Mr. President, I rise to introduce our guest Senate Page today, Matthew Schreckengost. He is 15 years old and a ninth grade student at Venango Christian High School in Oil City, Pennsylvania, and he working on his Eagle Scout rank and is serving today as part of the qualifications for his citizenship merit badge. He is a member of Boy Scout Troop 11 in Oil City, and is the son of Deborah Schreckengost, who is my staff member in my district office.

So Senator Slocum and I are pleased to introduce him, and I ask the Senate to give him a warm welcome.

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

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1200 (Pr. No. 2259) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland Counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House amendments to Senate Bill No. 1200?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House amendments to Senate Bill No. 1200.

On the question,

Will the Senate agree to the motion?

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

Senator BRIGHTBILL. Mr. President, I want to mention briefly that this bill designates and names a number of highways and routes, and part of this bill is the designation of a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge.

Senator Manbeck was my predecessor who was very much loved and respected in the 48th Senatorial District, particularly in Lebanon County and the Bethel Township area. He was chairman of the Committee on Transportation here in the Senate for many years, and it is particularly appropriate that this bridge be named in memory of Senator Manbeck because this bridge is an innovation in highway bridge construction. It is made of pressed wood, and without getting into the technical details, it is a bridge that is expected to cost less and serve just as well as the design of bridges that preceded this.

So, Mr. President, I would just like to say it is particularly appropriate to be naming this particular bridge after Senator Manbeck.

Thank you.

And the question recurring,

Will the Senate agree to the motion?

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

YEA-48

Afflerbach
Armstrong

Gerlach
Greenleaf

Loeper
Madigan

Slocum
Stapleton

Belan	Hart	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione
Bodack	Holl	Murphy	Thompson
Brightbill	Hughes	Musto	Tilghman
Conti	Jubelirer	O'Pake	Uliana
Corman	Kasunic	Piccola	Wagner
Costa	Kitchen	Rhoades	Wenger
Delp	Kukovich	Robbins	White
Earll	LaValle	Salvatore	Williams
Fumo	Lemmond	Schwartz	Wozniak

NAY-0

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

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

BILL AMENDED

HB 433 (Pr. No. 4165) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for title applications, for vehicle ownership transfer, for transfer of vehicles to manufacturers or dealers, for title agents, for liens against title, for title registrations and certificates, for registration exemptions, for registration applications, for refusing registration, for issuing registration plates, for returning registration plates, for dealer registration plates, for disability plates and placards, for veterans' plates and placards, for various special plates and placards, for suspension of registration, for suspension of business registration plates, for surrender of registration plates and cards, for licensing, for licensing ineligibility, for driver's license examinations, for carrying driver's license, for driver's license expiration, for Department of Transportation records, for the Medical Advisory Board, for suspension of operating privilege, for schedule of points, for removal of points, for surrender of license, for revocation of habitual offender's license, for driving without valid license, for chemical testing, for notice, for occupational limited license, for probationary license and for cancellation of license; providing for administrative functions; providing additional annual fees for certain registrations; further providing for fee exemption, for temporary and electronically issued registration plates and for duplicate registration cards; providing for reissuance; further providing for special hauling permits, for annual hauling permits, for special escort movements, for construction trucks, for driver and vehicle information, for the Motor Vehicle Transaction Recovery Fund, for disbursements, for scope, for traffic control signals, for stop signs and yield signs, for train signals, for railroad crossings and for school bus passing; providing for emergency vehicles accessing official garages; further providing for speed limits, for altering speed limits, for pedalcycles, for pedalcycle equipment, for warning signals, for the Pedalcycle and Pedestrian Advisory Committee, for driving on sidewalks, for serious accidents while unlicensed, for vehicular homicide while driving under influence, for accident reports, for unlawful activities, for lighting requirements and for multiple-beam lights; providing for passengers in open trucks and for pedalcycle carrying devices; further providing for school bus requirements, for inspection, for inspection station liability, for inspection sticker violations, for inspection records, for highway and bridge restrictions, for fire apparatus, for vehicle widths, for maximum gross weight, for registered gross weight, for maximum axle weight, for permit authority, conditions and security, for construction vehicle exemptions, for quarry equipment permits, for permits for movement during manufacture and for construction equipment movement permits; providing for live domestic animal permits; further providing for wooden structure movement permits; providing for building structural component movement permits, for furniture assembly component movement permits, for bulk refined oil movement permits, and for

waste coal and combustion ash movement permits; further providing for gubernatorial emergency powers, for administrative and local functions and for display of unauthorized signs; providing for dealing in traffic-control devices or bridge parts; further providing for automatic reciprocity and for police investigation; providing for investigating motor vehicle establishments in first class cities; further providing for issuing authority reports; providing for admissibility of records; further providing for subsequent convictions of certain offenses; providing for habitual offenders; further providing for fraudulent documents and plates; providing for abandoned vehicles in first class cities and for a Security Wall Pilot Project; further providing for liquid fuel permits, bonds, deposits, refunds and violations; further providing for highway restoration and for motor fuel tax credits; and providing for corporate tax exemptions, for an appropriation and for the transfer of certain funds.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BODACK, on behalf of Senator MELLOW, offered the following amendment No. A4847:

Amend Title, page 2, line 1, by inserting after "REGISTRATION,": for duties of agents,

Amend Bill, page 44, by inserting between lines 5 and 6:

Section 6.1. Section 1318(d) of Title 75 is amended to read:
§ 1318. Duties of agents.

* * *

[(d) Verification of information on application.—In addition to any other duty prescribed by this title or departmental regulations, an agent shall verify that the purchase price stated on the application approximates the fair market value of the vehicle in a manner prescribed by the department as set forth in a notice published in the Pennsylvania Bulletin.]

* * *

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 BRIGHTBILL.

RECESS

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

Senator BRIGHTBILL. Mr. President, at this time I ask for a recess, first for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room directly to the rear of the Chamber, and following that with a Republican caucus.

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

Senator BODACK. Mr. President, I ask for an immediate caucus of the Democratic Senators to take place at the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations to occur immediately following this announcement, followed by Republican and Democratic caucuses, the Senate stands in recess.

AFTER RECESS

The PRESIDING OFFICER (Noah W. Wenger) in the Chair.

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

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 433 (Pr. No. 4169) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for title applications, for vehicle ownership transfer, for transfer of vehicles to manufacturers or dealers, for title agents, for liens against title, for title registrations and certificates, for registration exemptions, for registration applications, for refusing registration, for duties of agents, for issuing registration plates, for returning registration plates, for dealer registration plates, for disability plates and placards, for veterans' plates and placards, for various special plates and placards, for suspension of registration, for suspension of business registration plates, for surrender of registration plates and cards, for licensing, for licensing ineligibility, for driver's license examinations, for carrying driver's license, for driver's license expiration, for Department of Transportation records, for the Medical Advisory Board, for suspension of operating privilege, for schedule of points, for removal of points, for surrender of license, for revocation of habitual offender's license, for driving without valid license, for chemical testing, for notice, for occupational limited license, for probationary license and for cancellation of license; providing for administrative functions; providing additional annual fees for certain registrations; further providing for fee exemption, for temporary and electronically issued registration plates and for duplicate registration cards; providing for reissuance; further providing for special hauling permits, for annual hauling permits, for special escort movements, for construction trucks, for driver and vehicle information, for the Motor Vehicle Transaction Recovery Fund, for disbursements, for scope, for traffic control signals, for stop signs and yield signs, for train signals, for railroad crossings and for school bus passing; providing for emergency vehicles accessing official garages; further providing for speed limits, for altering speed limits, for pedalcycles, for pedalcycle equipment, for warning signals, for the Pedalcycle and Pedestrian Advisory Committee, for driving on sidewalks, for serious accidents while unlicensed, for vehicular homicide while driving under influence, for accident reports, for unlawful activities, for lighting requirements and for multiple-beam lights; providing for passengers in open trucks and for pedalcycle carrying devices; further providing for school bus requirements, for inspection, for inspection station liability, for inspection sticker violations, for inspection records, for highway and bridge restrictions, for fire apparatus, for vehicle widths, for maximum gross weight, for registered gross weight, for maximum axle weight, for permit authority, conditions and security, for construction vehicle exemptions, for quarry equipment permits, for permits for movement during manufacture and for construction equipment movement permits; providing for live domestic animal permits; further providing for wooden structure movement permits; providing for building structural component movement permits, for furniture assembly component movement permits, for bulk refined oil movement permits, and for waste coal and combustion ash movement permits; further providing for gubernatorial emergency powers, for administrative and local functions and for display of unauthorized signs; providing for dealing in traffic-control devices or bridge parts; further providing for automatic reciprocity and for police investigation; providing for investigating motor vehicle establishments in first class cities; further providing for issuing authority reports; providing for admissibility of records; further providing for subsequent convictions of certain offenses; providing for habitual offenders; further providing for fraudulent documents and plates; providing for

abandoned vehicles in first class cities and for a Security Wall Pilot Project; further providing for liquid fuel permits, bonds, deposits, refunds and violations; further providing for highway restoration and for motor fuel tax credits; and providing for corporate tax exemptions, for an appropriation and for the transfer of certain funds.

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

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVE

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

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Fumo.

The PRESIDING OFFICER. Without objection, that leave is granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-44

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

NAY-4

Afflerbach	Bell	Salvatore	Tilghman
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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.

CONSIDERATION OF CALENDAR RESUMED

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

SENATE CONCURS IN HOUSE AMENDMENTS

HB 1479 (Pr. No. 4112) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further pro-

viding for trademark fees and for purposes of limited liability companies.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1479?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 1479.

On the question,

Will the Senate agree to the motion?

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

YEA-46

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

NAY-2

Afflerbach	Bodack
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A constitutional 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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Williams has returned, and his temporary Capitol leave will be cancelled.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

SENATE CONCURS IN HOUSE AMENDMENTS

SB 512 (Pr. No. 2300) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), entitled, as amended, Housing Authorities Law, providing for the payment of taxes and municipal utility bills.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 512?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 512.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

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

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 94 (Pr. No. 2252) -- 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.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 94?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 94.

On the question,

Will the Senate agree to the motion?

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

YEA-48

Afflerbach	Gerlach	Loeper	Slocum
Armstrong	Greenleaf	Madigan	Stapleton
Belan	Hart	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione
Bodack	Holl	Murphy	Thompson
Brightbill	Hughes	Musto	Tilghman
Conti	Jubelirer	O'Pake	Uliana
Corman	Kasunic	Piccola	Wagner

Costa	Kitchen	Rhoades	Wenger
Delp	Kukovich	Robbins	White
Earll	LaValle	Salvatore	Williams
Fumo	Lemmond	Schwartz	Wozniak

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 510 (Pr. No. 2194) -- 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, defining "delinquent" taxes; further providing for discharge of tax claims; and requiring successful bidders of property subject to sale to provide a certification that they do not have delinquent real estate taxes or municipal utility bills that are more than one year outstanding.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 510?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 510.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

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

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILL OVER IN ORDER TEMPORARILY

SB 1314 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER TEMPORARILY

HB 2261 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER TEMPORARILY

HB 207 and HB 235 -- Without objection, the bills were passed over in their order temporarily at the request of Senator BRIGHTBILL.

BILL AMENDED AND OVER IN ORDER TEMPORARILY

HB 613 (Pr. No. 4166) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for applications for issuance of hotel, restaurant and club liquor licenses, for license fees, for public service liquor licenses, for trade show and convention licenses, for city-owned stadia, for performing arts facilities, for recreation facilities, for seasonal outdoor cafe, for sacramental wine licenses, for liquor importers' licenses, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for stadium or arena permits, for filing of applications for distributors', importing distributors' and retail dispensers' licenses, for price changes of malt and brewed beverages, for limiting number of retail licenses to be issued in each municipality, for requirement that licensees furnish bond, for nonassignability and transfer of licenses, for applications for transfers, for expiration and renewal of licenses, for revocation and suspension of licenses, for unlawful acts relative to malt or brewed beverages and licensees, for applications, for issuance of licenses and for requirement of bonds; further providing for performing arts facilities in second class A counties, second class A cities, third class cities, boroughs and townships of the second class located in certain counties; and making a repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator STOUT offered the following amendment No. A4802:

Amend Title, page 2, line 19, by striking out "AND" and inserting a comma

Amend Title, page 2, line 20, by inserting after "BONDS": and for limited wineries

Amend Bill, page 78, by inserting between lines 19 and 20:

Section 20.1. Section 505.2(4) of the act, amended June 18, 1998 (P.L.664, No.86), is amended to read:

Section 505.2. Limited Wineries.—In the interest of promoting tourism and recreational development in Pennsylvania, holders of a limited winery license may:

* * *

(4) At the discretion of the board, obtain a special wine permit to participate in wine and food expositions off the licensed premises. A special wine permit shall be issued upon proper application and payment of a fee of thirty dollars (\$30) per day for each day of permitted use, not to exceed five (5) consecutive days. A limited winery may not obtain more than five special wine permits in any calendar year. The total number of days for all the permits may not exceed [ten (10)] twenty (20) days in any calendar year. A special wine permit shall entitle the holder to engage in the sale of wine produced by the bottle or in case lots by the permittee under the authority of a limited winery license. Holders of special wine permits may provide tasting samples of wines in individual portions not to exceed one fluid ounce. Samples at wine and food expositions may be sold or offered

free of charge. Except as provided herein, limited wineries utilizing special wine permits shall be governed by all applicable provisions of this act as well as by all applicable regulations or conditions adopted by the board.

For the purposes of this clause, "wine and food expositions" are defined as affairs held indoors or outdoors with the primary intent of educating those in attendance of the availability, nature and quality of Pennsylvania-produced wines in conjunction with suitable food displays, demonstrations and sales. Wine and food expositions may also include activities other than wine and food displays, including arts and crafts, musical activities, cultural exhibits, agricultural exhibits and similar activities.

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 temporarily at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

SB 636, HB 689, HB 728 and HB 786 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL AMENDED

HB 907 (Pr. No. 1015) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of May 16, 1951 (P.L.300, No.60), entitled, as amended, "An act authorizing certain counties to establish fire training schools for the paid and volunteer firemen of municipalities within the county."

On the question,
Will the Senate agree to the bill on third consideration?
Senator ROBBINS offered the following amendment No. A4316:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting: Making repeals of acts or parts of acts relating to counties.

Amend Bill, page 1, by inserting between lines 10 and 11: Section 2. The following sections of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, are repealed:

Sections 3011, 3012, 3021, 3022, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3041, 3042, 3043, 3044, 3051, 3052, 3053, 3054, 3055, 3056 and 3057.

Amend Sec. 2, page 1, line 11, by striking out "2" and inserting:
3

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 BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1064 (Pr. No. 3615) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for entertainment,

rehearsals, permits, applications and appeals; and providing for volunteer fire company activities.

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER TEMPORARILY

HB 1426 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1473 (Pr. No. 4054) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1990 (P.L.805, No.194), known as the Asbestos Occupations Accreditation and Certification Act, requiring certain contractors to obtain a license.

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-48

Afflerbach	Gerlach	Loeper	Slocum
Armstrong	Greenleaf	Madigan	Stapleton
Belan	Hart	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione
Bodack	Holl	Murphy	Thompson
Brightbill	Hughes	Musto	Tilghman
Conti	Jubelirer	O'Pake	Uliana

Corman	Kasunic	Piccola	Wagner
Costa	Kitchen	Rhoades	Wenger
Delp	Kukovich	Robbins	White
Earll	LaValle	Salvatore	Williams
Fumo	Lemmond	Schwartz	Wozniak

NAY-0

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

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

BILL OVER IN ORDER

SB 1554 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS AMENDED

HB 1636 (Pr. No. 3729) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, abolishing the Brandywine Battlefield Park Commission and the Washington Crossing Park Commission; and transferring certain powers, duties, assets, records and property to the Pennsylvania Historical and Museum Commission.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CONTI offered the following amendment No. A4910:

Amend Bill, page 7, by inserting between lines 25 and 26:

Section 2. The Brandywine Battlefield Park Commission and the Washington Crossing Park Commission are hereby abolished.

Amend Sec. 2, page 7, line 26, by striking out "2" and inserting:

3

Amend Sec. 3, page 8, line 1, by striking out "3" and inserting:

4

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 BRIGHTBILL.

HB 2024 (Pr. No. 4113) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a waiver of tuition and other fees for children of certain deceased police officers, National Guard members, firefighters and correction employees at community colleges and State-owned and State-related institutions of higher education and for additional powers and duties of the Pennsylvania Higher Education Assistance Agency and the Department of General Services.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A4787:

Amend Sec. 3, page 8, line 12, by inserting after "GUARD": killed in the performance of his or her duties

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 BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2193 (Pr. No. 3392) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for continuity of contract under the monetary union in member states of the European Union.

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2225 (Pr. No. 2935) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of April 17, 1869 (P.L.74, No.50), entitled, "An act to provide a mode of inquiring into the origin of fires."

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-48

Afflerbach	Gerlach	Loeper	Slocum
Armstrong	Greenleaf	Madigan	Stapleton
Belan	Hart	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione

Bodack	Holl	Murphy	Thompson
Brightbill	Hughes	Musto	Tilghman
Conti	Jubelirer	O'Pake	Uliana
Corman	Kasunic	Piccola	Wagner
Costa	Kitchen	Rhoades	Wenger
Delp	Kukovich	Robbins	White
Earll	LaValle	Salvatore	Williams
Fumo	Lemmond	Schwartz	Wozniak

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2243 (Pr. No. 2965) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of July 18, 1917 (P.L.1062, No.347), entitled "An act authorizing the Governor to appoint volunteer police officers during the present war with Germany, or in any war in which this Nation may become involved; providing for the organization and discipline of such police officers, and enumerating their powers."

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2410 (Pr. No. 3963) -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating the display of certain flags; and providing for the validity of certain ordinances, rules and regulations.

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL AMENDED

HB 2703 (Pr. No. 3745) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 21, 1988 (P.L.1881, No.184), entitled "An act providing for agreements between sales representatives and their principals," further defining "principal"; and further providing for commissions and for noncompliance.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A4839:

Amend Title, page 1, line 4, by inserting a period after "commissions"

Amend Title, page 1, lines 4 and 5, by striking out "and for non-compliance."

Amend Sec. 2, page 2, line 9, by striking out ", 4 and 5" and inserting: and 4

Amend Sec. 2 (Sec. 5), page 2, lines 28 through 30; page 3, lines 1 through 14, by striking out all of said lines on said pages

Amend Sec. 3 (Sec. 5.1), page 3, lines 27 through 30; page 4, lines 1 through 4, by striking out all of said lines on said pages

Amend Sec. 4, page 4, line 5, by striking out "in 60 days" and inserting: January 1, 1999

Amend Title, page 1, line 4, by inserting a period after "commissions"

Amend Title, page 1, lines 4 and 5, by striking out "and for non-compliance."

Amend Sec. 2, page 2, line 9, by striking out ", 4 and 5" and inserting: and 4

Amend Sec. 2 (Sec. 5), page 2, lines 28 through 30; page 3, lines 1 through 14, by striking out all of said lines on said pages

Amend Sec. 3 (Sec. 5.1), page 3, lines 27 through 30; page 4, lines 1 through 4, by striking out all of said lines on said pages

Amend Sec. 4, page 4, line 5, by striking out "in 60 days" and inserting: January 1, 1999

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 BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 304, HB 492, HB 507, HB 1228 and SB 1586 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

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

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

October 29, 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 J. Dolan (Public Member), First Commonwealth Financial Corporation, 22 North Sixth Street, P.O. Box 200, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 4, 2000 and until his 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 ENVIRONMENTAL HEARING BOARD

November 2, 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, Bernard A. Labuskes, Jr., 1711 Lincoln Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Environmental Hearing Board, to serve for a term of six years or until his successor is appointed and qualified, vice Robert D. Myers, Camp Hill, resigned.

THOMAS J. RIDGE
 Governor

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

November 10, 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, Joy C. Leonard, 3030 Clayton Street, Easton 18045, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Christopher J. Cerski, Wilkes-Barre, whose term expired.

THOMAS J. RIDGE
 Governor

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

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

YEA-48

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

THIRD CONSIDERATION CALENDAR RESUMED

HB 207 CALLED UP

HB 207 (Pr. No. 4146) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

HB 207 (Pr. No. 4146) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring all prison inmates to wear identifiable prison uniforms while incarcerated.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment
No. A4919:

Amend Sec. 1, page 1, line 9, by striking out ", county, regional or local ADULT prison or" and inserting: adult

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 BRIGHTBILL.

REPORTS FROM COMMITTEE

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

SB 56 (Pr. No. 55) (Rereported) (Concurrence)

An Act amending the act of June 2, 1988 (P.L.452, No.74), entitled "An act exempting owners of shooting ranges from any civil or criminal actions relating to noise pollution," further defining the granted immunity from nuisance actions.

SB 95 (Pr. No. 2309) (Rereported) (Concurrence)

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 279 (Pr. No. 1340) (Rereported) (Concurrence)

An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for protective equipment for motorcycle riders; and designating a highway.

SB 541 (Pr. No. 2163) (Rereported) (Concurrence)

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, authorizing the adoption of property maintenance ordinances; and further providing for fines and penalties.

RESOLUTIONS REPORTED FROM COMMITTEE

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

SR 247 (Pr. No. 2298)

A Resolution designating 1998 as "Sarcoidosis Awareness Month" in Pennsylvania.

SR 250 (Pr. No. 2299)

A Resolution proclaiming November 1998 as "Microenterprise Month" in Pennsylvania.

The PRESIDING OFFICER. The resolutions will be placed on the Calendar.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 56 (Pr. No. 55) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1988 (P.L.452, No.74), entitled "An act exempting owners of shooting ranges from any civil or criminal actions relating to noise pollution," further defining the granted immunity from nuisance actions.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 56?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 56.

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

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

YEA-48

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 95 (Pr. No. 2283) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 95?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 95.

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

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

YEA-48

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

NAY-0

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

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

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I request temporary Capitol leaves for Senator Madigan, who has been called to his office, as well as Senator Thompson and Senator Gerlach.

The PRESIDING OFFICER. Senator Brightbill requests temporary Capitol leaves for Senator Madigan, Senator Thompson, and Senator Gerlach. Without objection, those leaves will be granted.

SUPPLEMENTAL CALENDAR No. 2 RESUMED

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 279 (Pr. No. 1340) -- The Senate proceeded to consideration of the bill, entitled:

An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for protective equipment for motorcycle riders; and designating a highway.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 279?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 279.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, for the information of the Members, Senate Bill No. 279 deals with protective equipment for motorcycle riders, and I think this is a bill to which the Members need to pay particular attention.

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

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I rise to encourage my colleagues to join me in a "no" vote on this particular piece of legislation. It seems to me that good public policy saves lives, it saves pain, and it saves suffering, and it tries to save taxpayer dollars as well, and this piece of legislation does not do that, in fact it does the opposite.

California has a motorcycle helmet law that went into effect in January of 1992. Medi-Cal, California's version of medical assistance, charges for hospital treatment of motorcyclists dropped from \$40 million in 1991 to \$24 million in 1992 and \$23 million in 1993, and certainly we can expect Pennsylvania's costs to rise the same proportion by repealing the motorcycle helmet law that we now have in place in Pennsylvania.

Total hospital charges for treating motorcyclists dropped in California in 1992, especially for head injuries, in the following fashion: In 1991, it was \$93 million; in 1992, \$47 million; in 1993, \$39 million. Deaths and injuries to motorcyclists in California declined sharply in 1992, and this trend continued through 1995. Deaths in 1991 were 523; 1992, 327; 1993, 303; down to 1995 with 261.

To me, Mr. President, if someone wants to risk their own life and the security of their family by riding a motorcycle without being protected by a helmet, if they do not want society to have to pay the costs, then so be it. It is certainly their life to live as they may want to do it. But when these people have to have their bills paid by society, as it has been proven in California that most of the bills are paid by society either in direct payment or picking up all those charges that are not picked up by the individual, this is something that the public law ought to protect us from, and we need to continue the motorcycle helmet law.

Why people would ever want to ride a motorcycle without using a helmet, I do not really know. In fact, I have always considered a motorcycle an accident going somewhere to happen. Regardless of that, I urge a "no" vote. There are no statistics that can support the premise that it is safe to ride a motorcycle without a helmet.

Thank you, Mr. President.

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

Senator BELL. Mr. President, my remarks will be brief. We have been up and down the hill on this bill several times.

There are about 780,000 Pennsylvanians with a license to operate motorcycles. There are about 180,000 motorcycles licensed in Pennsylvania. This legislation gives 780,000 of our neighbors the right to choose.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Mr. President, I rise to oppose this bill. It is hard enough for me to understand why we would even be considering such a commonsense approach to this because no one in their right mind should not be wearing a helmet when they are riding a motorcycle. When they get on a motorcycle, most motorcyclists put on boots, they put on leather pants, they wear a leather jacket, and now in Pennsylvania they wear eye gear and also helmets. But if you ask them why they wear boots, why they do not put sneakers on? Well, it is for safety. Why do they not wear shorts? Well, they know it is for safety. And why they would not wear helmets is beside the point, and I cannot believe anyone would do it. But this particular bill would let them get on a motorcycle without eye gear. They are out on the highway doing 60 miles an hour, and if a bee or a rock, or anything, hits them in the eye, not only could they lose or damage their eye, but they would probably lose control of the motorcycle.

I have three sons and they have all grown up riding motorcycles, and they have had some serious accidents. I know from personal experience that my one son would be dead now if he did not have a helmet on. I just feel that as a Member of the Senate I would feel terrible if I would vote for something like this and have to face the mothers and the fathers and the family of that person, young kids mainly, who will die because they did not wear a helmet.

I must say that the people who worked on this legislation, the ABATE people, have done a good job. They have been very professional, and they have worked hard and have not had any animosity toward those of us who have been opposed to this bill, but I do urge that the Senate vote against this.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Murphy.

Senator MURPHY. Mr. President, I know when we faced a similar bill to this one a few short months ago there was a good deal of debate and I thought about not repeating it here, but I did want to remind the Members of some of the very, very important aspects of this bill to which I am opposed.

Having spent my career working in hospitals, I have seen more than my share of people who experienced head trauma and head injury, adults and children, and the difficulties that they had recovering from it. We cannot escape the fact that people who have these injuries have huge expenses that are mounting because of the need to rehabilitate them. We know that there is about a 51-percent higher risk for fatalities among people who do not wear helmets versus those who do when riding on the same bike; same motorcycle, one person with a helmet and one without. We also know being killed on a motorcycle is about 16 times more likely than those in motor vehicle accidents in automobiles.

The risks are very high. Helmets have improved a great deal over the years, and now we have situations where they are even safer than ever for people. They do not block vision, they do not block hearing, but they are there to help save lives, and even if there are some, as was mentioned before, who choose to not wear them and feel they are only risking themselves, the rest of us must be around to pick up the pieces even if the person's own cognitive and behavioral functions are no longer leaving them aware to pick up their own pieces.

But the other element of this bill, which I consider to be particularly toxic, is the idea that someone may be riding on the road and a speck of dust, an insect, or some of the things that we oftentimes see our own windshields of our cars constantly speckled with, may hit them in the eye. What do they do then if they are traveling on the road at 20 or 30 or 50 or 60 miles an hour? We all have experienced aspects like that, and we know how incredibly irritating it is to the human eye to have a speck of anything in it, let alone have something hit the eye at high speed.

This, indeed, puts other motorists at risk. This crosses the line. It is no longer something where someone could say, it is only myself riding the bike, and I choose to do that. It does not bother anybody else, because indeed it does. In those moments when that person is blinded or they are trying to eliminate an object from their eye, they have to take a hand off the bike, or they have to pull off the road, or worse yet, they may be blinded and skid. Those are aspects that affect other motorists. Those are aspects that affect other people they are riding next to or who are behind a biker.

Now, I know the vast majority of bikers are fine, upstanding people, and I respect their desire to have freedom to ride and enjoy all those great pleasures, but I must ask Members to oppose this bill because it also impinges upon the rights of everybody else who is on the road and shares the road with them and may find themselves paying the expenses of the persons who are injured on bikes because they do not wear helmets or paying expenses of their own because they have found themselves in an accident with a biker who is blinded because they were not wearing goggles or other protective eye wear. I urge all the Members here to think very carefully about this and say this is not the kind of risk we would like people to be put at on the road.

Thank you very much, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Mr. President, I also rise to join several of my colleagues who have spoken in opposition to this legislation. It seems like *deja vu*. We have talked about this legislation several times in the past. Fortunately, it has not been implemented. It has been changed to some degree with the elimination of the tinted windshield issue. That was part of the legislation previously, and quite frankly, Mr. President, it is my fear that with that change, this issue will carry with the votes today.

I hope, though, Mr. President, that Members of this body would give the issue a second thought. I echo many of the same feelings of the previous speakers of the importance of

this issue in Pennsylvania and the message we would be sending if we pass this legislation. Mr. President, if we pass this legislation, sure as God created green apples, there will be more Pennsylvanians dying on Pennsylvania highways. I mean, that is an absolute. That is not an if, but, or a maybe. That is an absolute.

There are all types of empirical information in regard to the proof that helmets and eye protection work in the driving of a motorcycle, and even with passengers on motorcycles. And the various insurance groups, national transportation highway groups, the Insurance Institute for Highway Safety, have all agreed on the information that is out there, that helmets are 29 percent effective in preventing motorcycle deaths and 67 percent effective in preventing brain injuries. An unhelmeted rider is 40 percent more likely to suffer a fatal head injury compared with a helmeted rider.

Most States, Mr. President, implemented the requirement to utilize motorcycle helmets back 30 years ago, as Pennsylvania did, and it is important to note that this legislation has been in existence for approximately 30 years. We have been doing the right thing, Mr. President, for 30 years here in Pennsylvania, and right now we are about prepared to throw it out the window. But when States implemented these laws, including Pennsylvania, there was a drastic reduction in fatalities and serious injuries in the use of motorcycles. And some States have made the wrong move and have repealed their legislation, which is what this legislation is suggesting to do here today, and sure enough, Mr. President, the fatality rate skyrocketed again in those States that have repealed this legislation, and that is precisely what will happen if we vote in favor of this legislation today.

As the previous speakers have indicated, what I think is as troubling as the elimination of the helmet law is the elimination of the eye protection in the operation of a motorcycle. In States that have repealed both, over 50 percent of the operators of motorcycles have chosen not to wear helmets or to wear eye protection. So, in fact, that would happen in Pennsylvania. And, Mr. President, when it is raining, when on a warm summer night when there are bugs and you are driving along and you do not have eye protection, you are not only a risk to yourself but also to the passengers and to practically everyone else who is on the road or any pedestrian in the immediate vicinity of a highway or a local street.

Mr. President, this legislation does not make any sense. It is foolhardy. We should not be implementing it. And the message we would be sending, Mr. President, to the children of Pennsylvania is wrong, because we have asked the children of this State up to the age of 12 to wear a helmet while they are riding a bicycle. The message we will be sending if we repeal the helmet law for adults, 21 years of age and older, is that children do not have to wear helmets also on bicycles.

Mr. President, we cannot do that. We have to look at what is right here, what is in the best interest of Pennsylvania. And, Mr. President, if by chance this legislation does pass, I hope that the Governor would have the courage to veto the legislation.

One final note, Mr. President. I do not stand up here and talk about this legislation simply for the sake of talking about it. When I was a young college student at IUP, I worked as a paramedic for 2 years full-time. I have been at numerous accident sites with motorcycles, and I have seen firsthand that helmets save lives. I have seen people who have slid on pavements for 100 or 200 feet, where a helmet had been burned through to the inner lining, and if in fact those individuals were not wearing helmets, that would have been their skull. And that is precisely what a helmet is. A helmet is a second skull that a person has. It saves lives. It has been proven to save lives. Please, we cannot repeal this legislation.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lehigh, Senator Afflerbach.

Senator AFFLERBACH. Mr. President, I am not sure what type of message we would be sending to people with passage of this legislation beyond one very clear message, and that is that adults who are 21 years of age or older have a choice to make and the right to make a decision and that we believe they are sufficiently intelligent to make that decision.

Now, I stand here somewhat confused because just this past week when an amendment was offered that would require individuals to wear seatbelts in automobiles as a primary offense if they chose not to do so, that amendment was rejected by a wide margin. Despite the fact that it has been demonstrated time and time again that seatbelts in fact save lives and seatbelts prevent more serious injury, the Members of this Chamber decided that it should not be a primary offense if someone does not wear their seatbelt, and the reason put forth by many people was because there was an element of harassment that can take place by individual officers simply stopping someone in order to harass them on the basis that they violated the law because they did not have their seatbelt on.

Mr. President, let me tell you that when it comes to motorcyclists, there is a great deal of harassment that takes place because of the present law which discriminates against motorcycle riders vis-a-vis those who ride in automobiles. The individuals in automobiles that happen to be convertibles or jeeps without their tops on are not required to wear helmets, nor are they required to wear eye protection, and some will say, oh, but they have a windshield and that gives them eye protection. Well, Mr. President, let me tell you that motorcycles also have windshields in many cases, and yet the operator of that motorcycle with that windshield will still be required under present law to wear protective eye gear and to wear a protective helmet.

We take a look at the possibility of what does that mean in terms of harassment? Well, let me suggest this to you. On a hot summer day when you pull up to a stop light in a congested city, or even some places in a more rural area, and you lift that visor to get some fresh air into that helmet, and you start out that motorcycle when the light turns to green to get it moving in traffic before you reach up to pull that visor back down, that is an offense. And an officer sitting there who just does not happen to like motorcyclists will stop and cite that rider

because they did not have their protective eye gear in place at the time the motorcycle was moving.

Again, I suggest let us take a look at people who drive convertibles. I have seen any number of people, as I am sure you all have, with very long hair that is flying about in front of their face, in their eyes, as they are driving that convertible, but we do not require them to put their hair back under a helmet. We do not require them to tie it into a pony tail so it does not fly in their face, and certainly a strand of hair in an eye can create as much havoc in a convertible as anything on a motorcycle.

I think perhaps the most sincere attempt at harassment with respect to motorcyclists was a happening that I observed this year in a parade. You see, it is perfectly all right for any one of us to get into a convertible in a parade and sit up on the back of that convertible, literally on top of the trunk, and ride through that parade at four miles an hour, or whatever the speed may be, generally walking speed so that the walking bands can keep up, and we are not required to wear helmets or protective eye gear in that parade, but motorcyclists are. If, in fact, motorcyclists enter that parade, they must wear eye gear and they must wear helmets while the rest of us can hang out of cars, hang on the side of fire engines, sit on trunk lids, virtually do anything we want to do without penalty. Now, Mr. President, not only is that highly discriminatory toward motorcycle riders, but it flatly invites harassment, and that is exactly what I saw this summer when the police force in that town told that contingent of motorcyclists that, yes, they had to wear helmets and protective eye gear in that parade, despite the fact that people were hanging out of motorized vehicles of every sort.

Mr. President, it is time to correct this injustice. It is time to admit that individuals who are 21 years of age can in fact make intelligent decisions, and that is all this bill says. Give them the option to do so. I support the legislation.

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Bodack, Senator O'Pake, Senator Stapleton, and Senator Williams.

The PRESIDENT pro tempore. Senator Mellow requests temporary Capitol leaves for Senator Bodack, Senator O'Pake, Senator Stapleton, and Senator Williams. Without objection, those leaves are granted.

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

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

YEA-27

Afflerbach	Fumo	Madigan	Tartaglione
Belan	Hart	Mellow	Uliana
Bell	Kasunic	Musto	Wenger
Brightbill	Kitchen	Rhoades	White
Conti	Kukovich	Robbins	Williams

Delp	LaValle	Salvatore	Wozniak
Earll	Loeper	Slocum	

NAY-21

Armstrong	Helfrick	Murphy	Thompson
Bodack	Holl	O'Pake	Tilghman
Corman	Hughes	Piccola	Wagner
Costa	Jubelirer	Schwartz	
Gerlach	Lemmond	Stapleton	
Greenleaf	Mowery	Stout	

A constitutional 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 541 (Pr. No. 2163) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, authorizing the adoption of property maintenance ordinances; and further providing for fines and penalties.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 541?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 541.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

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

SENATE RESOLUTION No. 247, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 2 of Supplemental Calendar No. 2, Senate Resolution No. 247, entitled:

A Resolution designating 1998 as "Sarcoidosis Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

SENATE RESOLUTION No. 250, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 2 of Supplemental Calendar No. 2, **Senate Resolution No. 250**, entitled:

A Resolution proclaiming November 1998 as "Microenterprise Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3**

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 207 (Pr. No. 4171) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring all prison inmates to wear identifiable prison uniforms while incarcerated.

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate

has passed the same with amendments in which concurrence of the House is requested.

HB 2024 (Pr. No. 4170) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a waiver of tuition and other fees for children of certain deceased police officers, National Guard members, firefighters and correction employees at community colleges and State-owned and State-related institutions of higher education and for additional powers and duties of the Pennsylvania Higher Education Assistance Agency and the Department of General Services.

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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate 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
SUPPLEMENTAL CALENDAR No. 4**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1636 (Pr. No. 4174) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, abolishing the Brandywine Battlefield Park Commission and the Washington Crossing Park Commission; and transferring certain powers, duties, assets, records and property to the Pennsylvania Historical and Museum 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-48

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

NAY-0

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

Ordered, That the Secretary of the Senate 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.

THIRD CONSIDERATION CALENDAR RESUMED

SB 1314 CALLED UP

SB 1314 (Pr. No. 2251) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator BRIGHTBILL.

**NONPREFERRED APPROPRIATION BILL
OVER IN ORDER**

SB 1314 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

HB 2261 CALLED UP

HB 2261 (Pr. No. 4163) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator BRIGHTBILL.

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

HB 2261 (Pr. No. 4163) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring public hearings before closing State mental health or mental retardation facilities.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-47

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

NAY-1

Greenleaf

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

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

HB 235 CALLED UP

HB 235 (Pr. No. 1910) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL OVER IN ORDER

HB 235 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL AMENDED

HB 1659 (Pr. No. 4164) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges in the court of common pleas and the Philadelphia Municipal Court, for actions that must be commenced within six months, for other offenses and for deficiency judgements; and making editorial changes and for the definition of "local agency" for purposes of governmental immunity.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A4921:

Amend Title, page 1, lines 2 through 4, by striking out "THE" in line 2, all of line 3 and "PHILADELPHIA MUNICIPAL COURT, FOR" in line 4

Amend Sec. 1, page 1, line 15, by striking out "911, 1121,"

Amend Sec. 1, page 1, lines 18 through 20; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 14, by striking out all of said lines on said pages

Amend Sec. 3, page 12, lines 11 through 16, by striking out all of said lines

Amend Sec. 4, page 12, line 17, by striking out "4" and inserting:

Amend Sec. 5, page 12, line 20, by striking out "5" and inserting:

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third consideration, as amended?

Senator BRIGHTBILL offered the following amendment No. A4939:

Amend Title, page 1, line 2, by inserting after "Statutes,": providing for costs and fees relating to coal mining;

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting:

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 2504.1. Costs and fees related to coal mining activity.

(a) General rule.—A party may file a petition for the award of costs and fees reasonably incurred as a result of participation in a proceeding relating to a coal mining activity.

(b) Recipients.—Costs and fees under this section may be awarded:

(1) To any party from the permittee if:

(i) the party initiates or participates in a proceeding reviewing an enforcement action that results in a determination that a violation of law has occurred or that an imminent hazard existed; and

(ii) the board determines that the party made a substantial contribution to the full and fair determination of the issues.

(2) To any party, other than a permittee or representative of a permittee, from the department if the party initiates or participates in any proceeding and prevails in whole or in part on the merits.

(3) To a permittee from the department or from a party if the department or party initiated any proceeding in bad faith and for the purpose of harassing or embarrassing the permittee.

(4) To the department from a party or person that applied for a review of a final department action or otherwise participated in proceeding in bad faith or for the purpose of harassing or embarrassing the department or other Commonwealth agency.

(c) Time for filing.—A petition for the award of costs and fees shall be filed with the board within 30 days of the date that an adjudication of the board becomes final. A party shall have 30 days from service of the petition in which to file an answer.

(d) Contents of petition.—A petition for the award of costs and fees under this section shall include:

(1) the name of the party against whom costs or fees are sought;

(2) an affidavit setting forth in detail all costs and fees reasonably incurred in connection with the party's participation in the proceeding;

(3) receipts or other evidence of costs and fees; and

(4) if attorney fees are claimed, evidence of the hours expended, the customary commercial rate for such services in the area and the experience, professional qualifications and ability of the individuals performing the services.

(e) Exclusive remedy.—This section shall be the exclusive remedy for the award of costs and fees incurred in a proceeding except for the following:

(1) Section 601 of the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law.

(2) Section 18.3 of the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act.

(3) Section 13 of the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act.

(4) Section 13 of the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act.

(f) Applicability.—The provisions of this section shall apply to all proceedings and petitions for costs and fees filed after the effective date of this section.

(g) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Board." The Environmental Hearing Board.

"Coal mining activity." The extraction of coal from the earth, waste or stockpiles, pits or banks by removing the strata or material which overlies or is above or between them otherwise exposing and retrieving them from the surface, including, but not limited to, strip mining, auger mining, dredging, quarrying and leaching and all surface activity connected with surface or underground coal mining, including, but not limited to, exploration, site preparation, coal processing or cleaning, coal refuse disposal, entry, tunnel, drift, slope, shaft and borehole drilling and construction, road construction, use, maintenance and reclamation, water supply restoration or replacement, repair or compensation for damages to structures caused by underground coal mining and all activities related thereto.

"Costs and fees." All reasonable costs and expenses, including attorney and expert witness fees, reasonably incurred as a result of participation in a proceeding.

"Department." The Department of Environmental Protection of the Commonwealth.

"Proceedings." Appeals of final department actions before the Environmental Hearing Board and judicial review of board adjudication.

Section 2. Section 5522(b) of Title 42 is amended to read:

Amend Bill, page 3, by inserting between lines 20 and 21:

Section 3. The following acts and parts of acts are repealed:

The fifth sentence of subsection (b) of section 307 of the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law.

The fifth sentence of section 4(b) of the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act.

Section 4.2(f)(5) of the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act.

The last sentence of section 5(g) of the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act.

The last sentence of section 5(i) of the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act.

Amend Sec. 2, page 3, line 21, by striking out "2" and inserting:

4

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

Senator BRIGHTBILL offered the following amendment No. A4941:

Amend Title, page 1, line 4, by removing the comma after "COURT" and inserting: ; providing for fee increases by clerks of court and for an automation fee; further providing

Amend Sec. 1, page 1, line 15, by striking out ", 1121, 5522(B)(2), 5552(B) AND 8103" and inserting: and 1121

Amend Bill, page 4, by inserting between lines 14 and 15 Section 2. Title 42 is amended by adding a section to read:
§ 1725.4. Fee increases and automation fee.

(a) Increasing existing fees.—

(1) In counties of the second class A and the third through eighth class, including home rule counties of the same class, the clerk of courts may increase any fee or charge that exists as of the effective date of this section with the approval of the president judge. The amount of any increase may not be greater than the aggregate of the consumer price index from the month in which the fee was last established through June 1998.

(2) The amount of any fee or charge increased pursuant to paragraph (1) may be increased every three years, provided that the amount of the increase may not be greater than the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three years preceding the last increase in the fee or charge.

(b) Automation fee for clerk of courts office.—In addition to any other fee authorized by law, an automation fee of not more than \$5 may be charged and collected by the clerk of courts of counties of the second class A and the third through eighth class, including home rule counties of the same class, for the initiation of any action or legal proceeding. The automation fee shall be deposited into a special clerk of courts automation fund established in each county. Moneys in the special fund shall be used solely for the purpose of automation and continued automation update of the office of the clerk of courts.

Section 3. Sections 5522(b)(2), 5552(b) and 8103 of Title 42 are amended to read:

Amend Sec. 2, page 11, line 28, by striking out "2" and inserting:

4

Amend Sec. 3, page 12, line 11, by striking "3" and inserting: 5

6

Amend Sec. 4, page 12, line 17, by striking out "4" and inserting:

7

Amend Sec. 5, page 12, line 20, by striking out "5" and inserting:

7

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 BRIGHTBILL.

HB 613 CALLED UP

HB 613 (Pr. No. 4166) -- Without objection, the bill, which previously went over in its order temporarily as amended, was called up, from page 5 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

HB 613 (Pr. No. 4166) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for applications for issuance of hotel, restaurant and club liquor licenses, for license fees, for public service liquor licenses, for trade show and convention licenses, for city-owned stadia, for performing arts facilities, for recreation facilities, for seasonal outdoor cafe, for sacramental wine licenses, for liquor importers' licenses, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for stadium or arena permits, for filing of applications for distributors', importing distributors' and retail dispensers' licenses, for price changes of malt and brewed beverages, for limiting number of retail licenses to be issued in each municipality, for requirement that licensees furnish bond, for nonassignability and transfer of licenses, for applications for transfers, for expiration and renewal of licenses, for revocation and suspension of licenses, for unlawful acts relative to malt or

brewed beverages and licensees, for applications, for issuance of licenses and for requirement of bonds; further providing for performing arts facilities in second class A counties, second class A cities, third class cities, boroughs and townships of the second class located in certain counties; and making a repeal.

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

Senator WOZNIAK offered the following amendment No. A4947:

Amend Title, page 2, line 6, by inserting after "COUNTIES,": for a performing arts facility or museum in cities of the third class,

Amend Bill, page 53, by inserting between lines 19 and 20:

Section 4.1. Section 408.4(a) and (c) of the act, amended June 18, 1998 (P.L.664, No.86), are amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, volunteer fire company, volunteer ambulance company, volunteer rescue squad, nonprofit agricultural association in existence for at least ten years, bona fide sportsmen's club in existence for at least ten years, nationally chartered veterans' organization and any affiliated lodge or subdivision of such organization, fraternal benefit society that is licensed to do business in this Commonwealth and any affiliated lodge or subdivision of such fraternal benefit society, or one auxiliary of any of the foregoing, and upon payment of the prescribed fee for special occasion permits under section 614-A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," the board shall issue a special occasion permit good for a period of not more than six consecutive or nonconsecutive days during a calendar year. Special occasion permits may also be issued to a museum operated by a nonprofit corporation in a city of the third class or township of the first class[,] or a nonprofit corporation engaged in the performing arts in a city of the third class or in an incorporated town[,] or to an arts facility or museum operated by an arts council or a nonprofit corporation in a city of the third class in a county of the fourth class for a period of not more than six nonconsecutive or ten consecutive days at the prescribed fee for special occasion permits under section 614-A of "The Administrative Code of 1929."

* * *

(c) Such special occasion permit shall only be valid for the number of days stated in the permit. Only one permit may be issued to any permittee during the year. Provided, that a museum operated by a nonprofit corporation in a city of the third class or township of the first class, and a nonprofit corporation engaged in the performing arts in a city of the third class, or an arts council or a nonprofit corporation that operates an arts facility or museum in a city of the third class in a county of the fourth class may be issued no more than six permits during the year, each permit being valid for only one day, or in the alternative, one permit valid for no more than a total of ten consecutive days per year, which may be issued only during the month of August.

* * *

Amend Bill, page 83, by inserting between lines 7 and 8:

Section 25. The amendment of section 408.4(a) and (c) of the act shall apply to arts facilities or museums existing on the effective date of this act.

Amend Sec. 25, page 83, line 8, by striking out "25" and inserting: 26

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 BRIGHTBILL.

HB 1426 CALLED UP

HB 1426 (Pr. No. 4116) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Third Consideration Calendar, by Senator BRIGHTBILL.

**BILL REVERTED TO PRIOR PRINTER'S No.
OVER IN ORDER**

HB 1426 (Pr. No. 4116) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

MOTION TO REVERT TO PRIOR PRINTER'S No.

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

Senator BRIGHTBILL. Mr. President, I move that we revert to prior Printer's No. 1871 on House Bill No. 1426.

The motion was agreed to.

Senator BRIGHTBILL. Mr. President, I ask that House Bill No. 1426, Printer's No. 1871, go over in its order.

The PRESIDENT pro tempore. House Bill No. 1426, Printer's No. 1871, will go over in its order.

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

The PRESIDENT pro tempore 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**

November 23, 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 November 9, 1998 for the appointment of Mark Navarro (Public Member), 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until May 2, 1999 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert L. Rubendall, Esq., Halifax, resigned.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE ARCHITECTS
LICENSURE BOARD**

November 23, 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 September 30, 1998 for the appointment of Domenick Argento (Public Member), 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Architects Licensure Board, to serve until April 15, 2001 or until his successor is appointed and qualified, but not longer than six months beyond that period, vice James J. Canova, East McKeesport, 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 AUCTIONEER EXAMINERS**

November 23, 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 June 17, 1998 for the appointment of Kristin Bowie, 134 Cemetery Lane, Leesport 19533, Berks County, Eleventh Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve for a term of three years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frank A. Itgen, Jr., Bryn Mawr, deceased.

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 BARBER EXAMINERS**

November 23, 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 September 10, 1998 for the appointment of Clara Sienkiewicz (Public Member), 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Barber Examiners, to serve until March 12, 1999 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Nancy E. Anderson, Elizabethtown, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE BRANDYWINE BATTLEFIELD
PARK COMMISSION

November 23, 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 September 8, 1998 for the appointment of Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Brandywine Battlefield Park Commission, to serve until December 5, 2000 and until her successor is appointed and qualified, vice Edward F. Muller, Jr., Thornton, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Gloria J. McPherson, Esq., Landisburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Donna Kriner, 6320 Darlington Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Stephen J. Suknaic, Camp Hill, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Richard M. Dracha, Elliptsburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Daron Smith, 755 Kreuz Creek, York 17406, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Martha L. Hurwitz, Harrisburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Allen E. Hench, Esq., Newport, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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

September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice MacDonald Heebner, Jr., State College, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Calvin H. Robinson, Harrisburg, resigned.

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

THOMAS J. RIDGE
Governor

CLERK OF COURTS, CAMBRIA COUNTY

November 23, 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 July 28, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Clerk of Courts, in and for the County of Cambria, to serve until the first Monday of January 2000, vice James McNulty, 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 DRUG,
DEVICE AND COSMETIC BOARD**

November 23, 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 September 8, 1998 for the appointment of Donna Kriner, 6320 Darlington Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Gerald R. Keenan, Jr., Johnstown, 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**

November 23, 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 October 23, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 L. Paul Sinotte, Ph.D., North Wales, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice William Green, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Hon. Louise W. Bishop, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 July 20, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Gude Wimbish, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kitatiny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Jesse E. Williams, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Timothy Spencer, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Daron Smith, 755 Kreutz Creek, York 17406, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Sheldon C. Jelin, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Lois Laws, Yeadon, resigned.

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
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Louis H. Carter, 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 BOARD OF TRUSTEES OF
EBENSBURG CENTER**

November 23, 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

September 29, 1998 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Eileen Koegler, Altoona, deceased.

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 EBENSBURG CENTER

November 23, 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 September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Jean A. Damin, Ebensburg, 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 ENERGY
DEVELOPMENT AUTHORITY

November 23, 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 September 30, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Energy Development Authority, to serve until March 19, 2000 and until his successor is appointed and qualified, vice James J. Canova, East McKeesport, 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

November 23, 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 September 8, 1998 for the appointment of Gregory Dunlap, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until his 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 HEALTH POLICY BOARD

November 23, 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 June 15, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Dr. William G. Berger, Grove City, resigned.

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 MAYVIEW STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kitatanny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Thomas J. Burke, 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 MINORITY
BUSINESS DEVELOPMENT AUTHORITY

November 23, 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 September 8, 1998 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**

November 23, 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 September 8, 1998 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**

November 23, 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 September 8, 1998 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 BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL**

November 23, 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 September 29, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Anthony J. Swanick, Penllyn, resigned.

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 NORRISTOWN STATE HOSPITAL**

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Ross P. Skillern, Ardmore, deceased.

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 NORRISTOWN STATE HOSPITAL**

November 23, 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 September 29, 1998 for the appointment of Marilyn Striano, 1005 Coppercreek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Dr. Patricia Baldwin, York, 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 OPTOMETRY**

November 23, 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 September 8, 1998 for the appointment of Annette Steele (Public Member), 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Optometry, 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 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

PHYSICIAN GENERAL

November 23, 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 May 22, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial Dis-

trict, as Physician General, to serve at the pleasure of the Governor, vice Wanda D. Filer, M.D., York, 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 PLANNING BOARD

November 23, 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 September 8, 1998 for the appointment of Mark Navarro, 4184 Kit-tatiny 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

November 23, 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 September 8, 1998 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 STATE BOARD
OF PODIATRY**

November 23, 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 September 8, 1998 for the appointment of Elisabeth Baker (Public Member), P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the State Board of Podiatry, 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 Marie S. Wynder, Wilkes-Barre, 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 BOARD OF TRUSTEES
OF POLK CENTER**

November 23, 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 September 29, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice James F. Leahy, 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 BOARD OF TRUSTEES
OF POLK CENTER**

November 23, 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 September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Sara S. Sattler, 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 STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS**

November 23, 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 September 8, 1998 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 Certified Real Estate Appraisers, 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 William C. Reiley, Esquire, Pottsville, resigned.

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 WERNERSVILLE STATE HOSPITAL**

November 23, 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 September 29, 1998 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, 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 John W. Murphy, Jr., Reading, resigned.

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
WESTERN YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kitatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Western Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Hon. Cheryl A. Craig, Pittsburgh, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

November 23, 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 July 20, 1998 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 Allegheny, Magisterial District 05-2-11, to serve until the first Monday of January 2000, vice Georgina G. Franci, mandatory retirement.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

November 23, 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 July 2, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Delaware, Magisterial

al District 32-2-44, to serve until the first Monday of January 2000, vice Robert M. Shaffer, resigned.

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

THOMAS J. RIDGE
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 619, 1373, and 1495** with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 501, 680, 1020, 1897, 1937, 1992, 2200, 2258, 2268, 2381 and 2459**.

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 1628**, in which concurrence of the Senate is requested.

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

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 101 and 1205**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. Pursuant to Senate Rule XIV, section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HR 419**.

BILLS SIGNED

The PRESIDENT pro tempore. The Chair wishes to announce the following bills were signed by the President in the presence of the Senate:

HB 1985 and HB 2210.

The PRESIDENT pro tempore (Robert C. Jubelirer) in the presence of the Senate signed the following bills:

SB 56, SB 94, SB 95, SB 279, SB 510, SB 541, SB 619, SB 1200, SB 1373, SB 1495, HB 501, HB 680, HB 1020, HB 1897, HB 1937, HB 1992, HB 2005, HB 2200, HB 2258, HB 2268, HB 2381 and HB 2459.

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

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet in the Rules room to consider Senate Bill No. 930 and House Bills No. 280, 601, 908, and 1628, and certain nominations.

ANNOUNCEMENT BY MAJORITY WHIP

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

Senator BRIGHTBILL. Mr. President, for the information of the Members, we are waiting for an amendment to House Bill No. 1715, and there will be a meeting of the Committee on Rules and Executive Nominations immediately thereafter.

DISCHARGE PETITION

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

In the Senate, November 23, 1998

A PETITION

To place before the Senate the nomination of Denise K. Chamberlain as a member of the Appalachian States Low-Level Radioactive Waste Commission.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Denise K. Chamberlain as a member of the Appalachian States Low-Level Radioactive Waste Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Patrick J. Stapleton
Vincent J. Fumo

The PRESIDENT pro tempore. This communication will be laid on the table.

RECESS

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

Senator BRIGHTBILL. Mr. President, I request a brief recess for the purpose of a meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT pro tempore. Senator Brightbill requests a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to begin im-

mediately in the Rules room to the rear of the Senate. For that purpose, the Senate will stand in recess.

AFTER RECESS

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 5**

BILL OVER IN ORDER

HB 2703 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL AMENDED

HB 1715 (Pr. No. 3864) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 26, 1982 (P.L.744, No.203), referred to as the Prothonotary Fee Law, providing for the establishment and modification of fees and for the imposition of an additional fee.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A4949:

Amend Sec. 1 (Sec. 1.1), page 2, line 2, by striking out "HOME RULE COUNTIES AND"

Amend Sec. 1 (Sec. 1.1), page 2, line 3, by inserting after "CLASS," where it appears the second time: including home rule counties of the same class,

Amend Sec. 1 (Sec. 1.2), page 2, lines 19 and 20, by striking out "the court of common pleas of home rule counties or counties of the AND"

Amend Sec. 1 (Sec. 1.2), page 2, line 21, by inserting after "class" where it appears the second time: including home rule counties of the same class,

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 BRIGHTBILL.

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

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

MEMBER OF THE STATE BOARD
OF ACCOUNTANCY

November 23, 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 November 9, 1998 for the appointment of Mark Navarro (Public Member), 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until May 2, 1999 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert L. Rubendall, Esq., Halifax, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE ARCHITECTS
LICENSURE BOARD

November 23, 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 September 30, 1998 for the appointment of Domenick Argento (Public Member), 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Architects Licensure Board, to serve until April 15, 2001 or until his successor is appointed and qualified, but not longer than six months beyond that period, vice James J. Canova, East McKeesport, 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 AUCTIONEER EXAMINERS

November 23, 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 June 17, 1998 for the appointment of Kristin Bowie, 134 Cemetery Lane, Leesport 19533, Berks County, Eleventh Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve for a term of three years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frank A. Itgen, Jr., Bryn Mawr, deceased.

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 BARBER EXAMINERS

November 23, 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 September 10, 1998 for the appointment of Clara Sienkiewicz (Public Member), 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Barber Examiners, to serve until March 12, 1999 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Nancy E. Anderson, Elizabethtown, resigned.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE BRANDYWINE BATTLEFIELD
PARK COMMISSION

November 23, 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 September 8, 1998 for the appointment of Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Brandywine Battlefield Park Commission, to serve until December 5, 2000 and until her successor is appointed and qualified, vice Edward F. Muller, Jr., Thornton, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Gloria J. McPherson, Esq., Landisburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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

September 29, 1998 for the appointment of Donna Kriner, 6320 Darlington Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Stephen J. Suknaic, Camp Hill, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Richard M. Dracha, Ellitotsburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Valerie Smith, 7723 Farndale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Allen E. Hench, Esq., Newport, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Daron Smith, 755 Kreutz Creek, York 17406, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 1999, and until

his successor is appointed and qualified, vice Martha L. Hurwitz, Harrisburg, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice MacDonald Heebner, Jr., State College, resigned.

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
CENTRAL YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Central Youth Development Centers, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Calvin H. Robinson, Harrisburg, resigned.

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

THOMAS J. RIDGE
Governor

CLERK OF COURTS, CAMBRIA COUNTY

November 23, 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 July 28, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Clerk of Courts, in and for the County of Cambria, to serve until the first Monday of January 2000, vice James McNulty, 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 DRUG,
DEVICE AND COSMETIC BOARD**

November 23, 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 September 8, 1998 for the appointment of Donna Kriner, 6320 Darlington Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Gerald R. Keenan, Jr., Johnstown, 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**

November 23, 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 October 23, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 L. Paul Sinotte, Ph.D., North Wales, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice William Green, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Hon. Louise W. Bishop, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 July 20, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Gude Wimbish, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kitatanny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Jesse E. Williams, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS**

November 23, 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

September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Timothy Spencer, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Daron Smith, 755 Kreuz Creek, York 17406, York County, Twenty-eighth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Sheldon C. Jelin, 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 BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Lois Laws, Yeadon, resigned.

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
EASTERN YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Eastern Youth Development Centers, to serve until the third Tuesday of January 2001,

and until her successor is appointed and qualified, vice Louis H. Carter, 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 BOARD OF TRUSTEES OF
EBENSBURG CENTER

November 23, 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 September 29, 1998 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Eileen Koegler, Altoona, deceased.

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 EBENSBURG CENTER

November 23, 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 September 29, 1998 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Jean A. Damin, Ebensburg, 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 ENERGY
DEVELOPMENT AUTHORITY

November 23, 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 September 30, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Energy Development Authority, to serve until March 19, 2000 and until his successor is appointed and qualified, vice James J. Canova, East McKeesport, 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

November 23, 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 September 8, 1998 for the appointment of Gregory Dunlap, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until his 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 HEALTH POLICY BOARD

November 23, 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 June 15, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Dr. William G. Berger, Grove City, resigned.

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 MAYVIEW STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kitatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Thomas J. Burke, 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 MINORITY
BUSINESS DEVELOPMENT AUTHORITY

November 23, 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 September 8, 1998 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

November 23, 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 September 8, 1998 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

November 23, 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 September 8, 1998 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 BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Anthony J. Swanick, Penllyn, resigned.

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 NORRISTOWN STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Elisabeth Baker, P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Ross P. Skillern, Ardmore, deceased.

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 NORRISTOWN STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Marilyn Striano, 1005 Coppercreek Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Dr. Patricia Baldwin, York, 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 NURSING

November 20, 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 June 17, 1998 for the appointment of Linda G. Trabucco, Esquire (Public Member), 3 Douglas Lane, Chester Springs 19425, Chester County, Forty-fourth Senatorial District, as a member of the State

Board of Nursing, to serve until November 10, 1998 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Gabriel, Grantham, 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 OPTOMETRY

November 23, 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 September 8, 1998 for the appointment of Annette Steele (Public Member), 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Optometry, 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 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

PHYSICIAN GENERAL

November 23, 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 May 22, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Physician General, to serve at the pleasure of the Governor, vice Wanda D. Filer, M.D., York, 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 PLANNING BOARD

November 23, 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 September 8, 1998 for the appointment of Mark Navarro, 4184 Kitatinny 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

November 23, 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 September 8, 1998 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 STATE BOARD OF PODIATRY

November 23, 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 September 8, 1998 for the appointment of Elisabeth Baker (Public Member), P.O. Box 59, Mt. View Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, as a member of the State Board of Podiatry, 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 Marie S. Wynder, Wilkes-Barre, 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 BOARD OF TRUSTEES OF POLK CENTER

November 23, 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 September 29, 1998 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice James F. Leahy, 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 BOARD OF TRUSTEES OF POLK CENTER

November 23, 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 September 29, 1998 for the appointment of Clara Sienkiewicz, 27 Annette Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Sara S. Sattler, 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 STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

November 23, 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 September 8, 1998 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 Certified Real Estate Appraisers, 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 William C. Reiley, Esquire, Pottsville, resigned.

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 WERNERSVILLE STATE HOSPITAL

November 23, 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 September 29, 1998 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, 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 John W. Murphy, Jr., Reading, resigned.

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 WESTERN YOUTH DEVELOPMENT CENTERS

November 23, 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 September 29, 1998 for the appointment of Mark Navarro, 4184 Kit-tatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Western

Youth Development Centers, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Hon. Cheryl A. Craig, Pittsburgh, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

November 23, 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 July 2, 1998 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Delaware, Magisterial District 32-2-44, to serve until the first Monday of January 2000, vice Robert M. Shaffer, resigned.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

November 23, 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 July 20, 1998 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 Allegheny, Magisterial District 05-2-11, to serve until the first Monday of January 2000, vice Georgina G. Franci, 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 pro tempore. The nominations will be returned to the Governor.

REQUEST FOR RECESS

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

Senator BRIGHTBILL. Mr. President, before we adjourn, we will have a Supplemental Calendar which will contain House Bill No. 908, which we will move up and then recommit to the Committee on Rules and Executive Nominations. There will also be several bills on that Supplemental Calendar that we will move up, and other than that we have no substan-

tive business for the Members. So at this point in time we ask for a recess pending receipt of the Supplemental Calendar, unless the Chair has some additional business.

The PRESIDENT pro tempore. While we are waiting for the next Supplemental Calendar, without objection, we will move on to some housekeeping chores.

UNFINISHED BUSINESS REPORTS FROM COMMITTEE

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

SB 930 (Pr. No. 2256) (Rereported) (Concurrence)

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; further providing for Commonwealth indebtedness; and making editorial changes.

HB 280 (Pr. No. 4177) (Amended) (Rereported)

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for administrative expenses.

HB 908 (Pr. No. 3689) (Rereported)

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

HB 1628 (Pr. No. 4167) (Rereported) (Concurrence)

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. John O. James, Mr. and Mrs. Richard E. Lander, Mr. and Mrs. Raymond Hobbs, Mr. and Mrs. Harry Smith, Mr. and Mrs. Kenneth Seiple and to Frenchie Falcon by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Hall and to Mr. and Mrs. Robert O'Connor by Senator Bell.

Congratulations of the Senate were extended to Scott W. Steinbrueck by Senator Conti.

Congratulations of the Senate were extended to the Alumni of St. Joseph's High School of Pittsburgh by Senator Costa.

Congratulations of the Senate were extended to the Julia R. Masterman Laboratory and Demonstration School of Philadelphia by Senator Fumo.

Congratulations of the Senate were extended to Stephen T. Smola by Senator Gerlach.

Congratulations of the Senate were extended to Michael Farnsworth by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. James Mitchell, Mr. and Mrs. John Lucas, Mr. and Mrs. Victor Kostka, Mr. and Mrs. Louis Iozzi, Mr. and Mrs. Cornelio Zambanini, John F. Schwend and to Christopher William Roos by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Bierowski, Mr. and Mrs. Ariel Charles Boop, Aaron Coup, Lucas Charles Bingman, Casse Mathias Barbour-March, Braddon Lynn Hackenberg and to Christopher Coup by Senator Helfrick.

Congratulations of the Senate were extended to Norman L. Clemmer, Sr., Steven M. Cukierski, Jason Michael Plawa, Jason Ronald Roberts and to Dean James Caravoulias by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Megatulski, Mr. and Mrs. Alfonso S. Korus, Mr. and Mrs. Richard A. Lance, Mr. and Mrs. Albert Stush, Sr., Mr. and Mrs. Bernard Ferdo, Mr. and Mrs. Derwin Brown, Dorothy R. Haas, Gussie Remely and to Art's Apparel of Honesdale by Senator Lemmond.

Congratulations of the Senate were extended to Drew Adams by Senator Loeper.

Congratulations of the Senate were extended to Jared Reese by Senator Madigan.

Congratulations of the Senate were extended to James W. Hutchison, Jr., by Senators Mowery and Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Gildo Pascucci and to M. Michelle Dougherty by Senator Musto.

Congratulations of the Senate were extended to Maria Rybczuk Little, Daniel J. Zawisza and to the Miss Hemisphere Pageant by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Paul McDowell by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Bruno J. Bogdewic, Mr. and Mrs. John Chupinsky, Mr. and Mrs. Roger Craig, Mr. and Mrs. Francis McCauley, Mr. and Mrs. George T. Spanish and to Mr. and Mrs. Franklin Provance, Sr., by Senator Stout.

Congratulations of the Senate were extended to Antonina Colantoni and to Pauline Sweterlitsch by Senator Wagner.

Congratulations of the Senate were extended to Mr. and Mrs. John O. Wilson, Reverend and Mrs. H. Dean Michaels, Sr., Mr. and Mrs. Randy Volocko, Mr. and Mrs. Dennis E. Flowers, Mr. and Mrs. Rudolph Gula, Mr. and Mrs. Patrick Vigna, Mr. and Mrs. Harold Wagner, Mr. and Mrs. Austin Harrier and to Mr. and Mrs. Francis Filo by Senator Wozniak.

HOUSE MESSAGE

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1218** and **1529**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. Pursuant to Senate Rule XIV, section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

RECESS

The PRESIDENT pro tempore. We are awaiting the Supplemental Calendar and then we are ready to adjourn. We will stand in recess pending that Supplemental Calendar reaching the floor of the Senate, and I expect that it will be timely. The Senate will stand in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 6

BILL OVER IN ORDER

HB 2664 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

HB 280 (Pr. No. 4177) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for administrative expenses.

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

BILL ON SECOND CONSIDERATION AND RECOMMITTED

HB 908 (Pr. No. 3689) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

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

Upon motion of Senator BRIGHTBILL, and agreed to, the bill just considered was recommitted to the Committee on Rules and Executive Nominations.

BILL ON SECOND CONSIDERATION

HB 2858 (Pr. No. 4145) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and neighborhood improvement districts; providing for annual audits; and making repeals.

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

ADJOURNMENT

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, November 24, 1998, at 10 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 8:12 p.m., Eastern Standard Time.