

Legislative Journal

TUESDAY, SEPTEMBER 30, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 46

SENATE

TUESDAY, September 30, 1997

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend FRANK MANNO, of the Fellowship Bible Church, Philadelphia, offered the following prayer:

Good afternoon, and let us pray.

Heavenly Father, as we still our hearts, God, there is so much business to be done today. Lord, I would ask a personal blessing on each man and woman here whom You have appointed, Lord, to lead Your people. Father, we thank You for them that You would strengthen them, give them wisdom in the decisions they make, and please give them grace.

We thank You, God, for their positions, for their desire to serve their country and their State, and please bless the families they represent. Father, we pray for our country, the great United States of America, that, Lord, You continue to shed Your grace on her. Please be here in a special way, Father. Speak to each one. Amen.

The PRESIDENT. The Chair thanks Reverend Manno, who is the guest today of Senator Salvatore.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Musto.

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

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

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of September 29, 1997.

The Clerk proceeded to read the Journal of the preceding Session.

Senator LOEPER. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR FRANK A. SALVATORE PRESENTED TO THE SENATE

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

Senator SALVATORE. Mr. President, I have the honor today of introducing a humble man who has been a great friend of mine for many, many years, and without going into all the things that he has done, I would just say that he is a true worker of God. I would like to introduce Father Testa, from Rome, who is here with us today. With him is Amato Berardi, one of the leaders in the Italian community, and it would be a pleasure if Father would say a few words.

The PRESIDENT. Father Testa, the Chair would invite you to address the full Senate.

(Applause.)

Father TESTA. I am embarrassed because my English is very, very poor. I never studied English, I learned by myself. I want to say that I am very happy to be here today with you. This is a big honor for me. I want to thank you, Senator Loeper, Senator Salvatore, and all of you. You gave me this big honor to stay in this Chamber. Your Senate is very, very beautiful. Your Capitol is splendid. I said to Senator Loeper, it is a little Saint Peter's. When I go back, I never will forget this day and will not forget you. And I pray the Lord to send you the light of his Spirit so you can work well for this beautiful country, for its people.

Thank you very much.

(Applause.)

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

Senator LOEPER. Mr. President, just a moment for the information of the Members, some of us have had the opportunity to meet Father Testa, both in this country and in his home, Rome, Italy, and I thought it might be interesting for us just for a moment to be aware of a little bit of the background of Father Testa.

Father Testa is the Procurator General with the Roman Catholic Order of the Oblates of St. Francis de Sales. He has worked as the liaison between the Vatican and the Oblates, and he served the Vatican by researching and verifying miracles by individuals who have been nominated for canonization to sainthood. As if he were not busy enough, he has undertaken the project of rebuilding a neglected church in Italy to serve a growing neighborhood. He is developing educational, recreational, and spiritual programs for the youth of Santa Procula Parish.

And when he is tired from harvesting men's souls, he relieves daily stress by working in his own garden. He is a humble servant of God, and for those who know him, each one of us is richer for meeting him. I think, Mr. President, at 71 years young, he is certainly an amazing man, and we are very proud and pleased to have him with us today.

Thank you again, Father Testa.

(Applause.)

The PRESIDENT. Thank you, Senator Loeper.

Father Testa, on behalf of the Senate, thank you so much for your spiritual reflections, and, again, welcome to Mr. Berardi. Thank you for the escort work that you provided today for Father Testa.

GUESTS OF SENATOR EDWIN G. HOLL PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Holl.

Senator HOLL. Mr. President, I am delighted to welcome to the Senate today two outstanding citizens from my hometown of Lansdale. Bill Wentz and his wife, Jane, are in the gallery. Bill has served at the State, county, and local levels as a public official, and I would appreciate it, Mr. President, if we would extend the usual warm welcome of the Senate to Bill and Jane.

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

(Applause.)

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

September 29, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Valerie Smith (Public Member), 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 4, 2000 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Austin R. Morris, Huntingdon, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

September 29, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Shirley M. Shatzer, 142 East Madison Street, Greencastle 17225, Franklin County, Thirty-third Senatorial District, for appointment as District Justice, in and for the County of Franklin, Magisterial District 39-3-05, to serve until the first Monday of January 2000, vice John R. Ommert, resigned.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

September 29, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James S. Miner, 70 Oakhill Drive, Hanover 17331, York County, Twenty-eighth Senatorial District, for appointment as District Justice, in and for the County of York, Magisterial District 19-3-05, to serve until the first Monday of January 2000, vice Margaret L. Klinedinst, resigned.

THOMAS J. RIDGE
Governor

HOUSE MESSAGES**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 176** and **SB 279**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

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

Weekly adjournment.**BILLS INTRODUCED AND REFERRED**

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

September 30, 1997

Senator TOMLINSON presented to the Chair **SB 1138**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, September 30, 1997.

Senators GREENLEAF, LEMMOND, WAGNER, KUKOVICH, HOLL, AFFLERBACH, SCHWARTZ, STOUT and RHOADES presented to the Chair **SB 1139**, entitled:

An Act regulating bail bond enforcement agents; requiring licensure and registration; and providing for penalties.

Which was committed to the Committee on JUDICIARY, September 30, 1997.

Senators MELLOW, O'PAKE, MUSTO, STAPLETON, BELAN, STOUT, TARTAGLIONE, WOZNIAK, KITCHEN, HART and EARLL presented to the Chair **SB 1140**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, defining "sexual motivation" for purposes of registration of sexual offenders; and further providing for registration of certain offenders.

Which was committed to the Committee on JUDICIARY, September 30, 1997.

Senator TILGHMAN presented to the Chair **SB 1141**, entitled:

An Act amending the act of June 18, 1997 (P.L.223, No.21), entitled Capital Budget Act of 1997-1998, increasing the debt limitations for transportation assistance projects.

Which was committed to the Committee on APPROPRIATIONS, September 30, 1997.

GENERAL COMMUNICATIONS**RESIGNATION OF VICE CHAIRMAN FROM
STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

To: Senator Robert C. Jubelirer
President Pro Tempore

From: Senator CHARLES D. LEMMOND, JR.

Subject: Committee on Military and Veterans Affairs

Date: September 29, 1997

I hereby resign my designation as Vice Chairman of the Committee on Military and Veterans Affairs, effective upon my designation as Vice Chairman of the Committee on Judiciary. I will remain a member of the Committee on Military and Veterans Affairs.

**DESIGNATION OF VICE CHAIRMAN
OF STANDING COMMITTEE**

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

Senator Terry Punt as vice chairman of the Committee on Military and Veterans Affairs.

BILL SIGNED

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

HB 231.

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

The SECRETARY. Consent has been given for the following committees to meet during today's Session: the Committee on Rules and Executive Nominations to consider certain nominations; also the Committee on Appropriations to consider House Bills No. 679, 1476, and Senate Bills No. 959, 981, and 1136.

REPORTS FROM COMMITTEES

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

SB 97 (Pr. No. 95)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals from government agencies; and making editorial changes.

SB 771 (Pr. No. 1346) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the simulation of legal process and related acts; prohibiting the use of unofficial license plates; and imposing penalties.

Senator ARMSTRONG, from the Committee on Labor and Industry, reported the following bills:

SB 799 (Pr. No. 855)

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for method of voting and publication of results.

HB 1475 (Pr. No. 2286) (Amended)

An Act providing for self-employment assistance, for eligibility, for costs and for limitation.

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

HB 1476 (Pr. No. 2285) (amended??)

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Indemnification Board and its powers and duties, for the Underground Storage Tank Indemnification Fund, for eligibility of claimants including certified tank installers and for audit, sunset and performance reviews; and providing for Underground Storage Tank Environmental Cleanup Program and the Upgrade Loan Program.

**BILL ON FIRST CONSIDERATION
AND REREFERRED**

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

The motion was agreed to.

The bill was as follows:

HB 1476.

And said bill having been considered for the first time,

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

CALENDAR

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

SB 769 (Pr. No. 825) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 11, 1995 (1st Sp.Sess., P.L.1066, No.23), entitled Model Expedited Eviction of Drug Traffickers Act, adding the definition of "court"; and making an editorial change.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 962 (Pr. No. 1058) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 1061 and SB 1062 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

SB 1136 (Pr. No. 1332) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 1, 1971 (P.L.495, No.113), entitled, as amended, "An act providing for the compensation of county officers in counties of the second through eighth classes, for compensation of district attorneys in cities and counties of the first class, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," providing for the compensation of district election officers; and making repeals.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

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

BILL OVER IN ORDER

SB 1137 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

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

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, it is my pleasure to introduce some guests from Perkasio in Bucks County, which is in Senator Heckler's district. They are Lisa and Bill Rohrbach and their children, Valerie, Mitchell, and Teddy, who are here for a project which they are doing to follow State government and see State government in operation. They are also accompanied by a friend, Alex Paoletti, also from Perkasio. I would ask that the Senate give them a warm welcome today as they observe State government.

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

(Applause.)

RECESS

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

Senator LOEPER. Mr. President, at this time I request a brief recess of the Senate, first for the purpose of a meeting of

the Committee on Appropriations, secondly, to be followed by a meeting of the Committee on Rules and Executive Nominations in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of two meetings, the Committee on Appropriations and the Committee on Rules and Executive Nominations, this Senate stands in recess.

AFTER RECESS

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

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

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

COMMONWEALTH TRUSTEE OF TEMPLE UNIVERSITY-OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

September 24, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 22, 1997 for the reappointment of Brian J. O'Neill, 3841 Fairdale Road, Philadelphia 19151, Philadelphia County, Fifth Senatorial District, as a Commonwealth Trustee of Temple University-of the Commonwealth System of Higher Education, to serve until October 14, 1997, and until his successor is appointed and qualified.

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

THOMAS J. RIDGE
Governor

NOMINATION RETURNED TO THE GOVERNOR

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

The motion was agreed to.

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

August 7, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Carl Odhner, 5470 Oswego Drive, Bethlehem 18017, Northampton County, Sixteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 1997 and until his successor is appointed and qualified, vice The Reverend Doctor Francis A. Shearer, Philadelphia, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

August 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas R. Butler, D.C., 751 East Bishop Street, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Randy W. McCall, D.C., Reynoldsville, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

August 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nancy Semmel (Public Member), 3620 Excelsior Road, Schnecksville 18078, Lehigh County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Chiropractic, 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 Virginia Perez Lemus, Philadelphia, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF DIRECTORS OF THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY

August 29, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Reverend Edmund J. Dobbin, Villanova University, 800 Lancaster Avenue, Villanova 19085, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 2003 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

June 6, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen P. Linebaugh, Esquire, 3221 Brookside Avenue, Dover 17315, York County, Twenty-eighth Senatorial District, for appointment as Judge of the Court of Common Pleas of York County, to serve until the first Monday of January 1998, vice The Honorable John T. Miller, mandatory retirement.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas W. Abell, 10 Cherry Street, Towanda 18848, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ralph Meyer, 333 Fulton Street, South Waverly 18840, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice James W. Carlson, Turtlepoint, whose term expired.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Adamae Saxon, 4845 Springtop

Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Merle L. McCalips, Jr., Boalsburg, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF
OCCUPATIONAL THERAPY EDUCATION
AND LICENSURE

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Hanna Gruen, Essex House, Apartment 1112, Essex Square, Pittsburgh 15206, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION

July 1, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John A. Maher, Esquire, 726 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Frederick Plank, McMurray, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

May 28, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rachel M. Torres, 707 North 25th Street, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Richard C. Noble, Reading, whose term expired.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

September 4, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sean P. McGraw, Esquire, 15 Birkett Street, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for appointment as District Justice, in and for the County of Lackawanna, Magisterial District 45-3-03, to serve until the first Monday of January 1998, vice Mary A. McAndrew, resigned.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

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

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

EXECUTIVE 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 ask for unanimous consent to call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE PENNSYLVANIA COUNCIL
ON AGING**

August 7, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Carl Odhner, 5470 Oswego Drive, Bethlehem 18017, Northampton County, Sixteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 1997 and until his successor is appointed and qualified, vice The Reverend Doctor Francis A. Shearer, Philadelphia, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF CHIROPRACTIC**

August 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas R. Butler, D.C., 751 East Bishop Street, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Randy W. McCall, D.C., Reynoldsville, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF CHIROPRACTIC**

August 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nancy Semmel (Public Member), 3620 Excelsior Road, Schnecksville 18078, Lehigh County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Chiropractic, 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 Virginia Perez Lemus, Philadelphia, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF DIRECTORS OF
THE PENNSYLVANIA HIGHER EDUCATION
ASSISTANCE AGENCY**

August 29, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Reverend Edmund J. Dobbin, Villanova University, 800 Lancaster Avenue, Villanova 19085, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 2003 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas W. Abell, 10 Cherry Street, Towanda 18848, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ralph Meyer, 333 Fulton Street, South Waverly 18840, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice James W. Carlson, Turtlepoint, whose term expired.

THOMAS J. RIDGE
Governor

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

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Adamae Saxon, 4845 Springtop Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Merle L. McCalips, Jr., Boalsburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD OF
OCCUPATIONAL THERAPY EDUCATION
AND LICENSURE**

August 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Hanna Gruen, Essex House, Apartment 1112, Essex Square, Pittsburgh 15206, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION**

July 1, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John A. Maher, Esquire, 726 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 1999, and until his successor is appointed and qualified, vice Frederick Plank, McMurray, whose term expired.

THOMAS J. RIDGE
Governor

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

May 28, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rachel M. Torres, 707 North 25th Street, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 1999, and until her successor is appointed and qualified, vice Richard C. Noble, Reading, whose term expired.

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

September 4, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sean P. McGraw, Esquire, 15 Birkett Street, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for appointment as District Justice, in and for the County of Lackawanna, Magisterial District 45-3-03, to serve until the first Monday of January 1998, vice Mary A. McAndrew, resigned.

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

UNFINISHED BUSINESS REPORTS FROM COMMITTEE

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

SB 959 (Pr. No. 1055) (Rereported)

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

SB 981 (Pr. No. 1347) (Amended) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for maintenance contracts to be performed by the Armory Board.

SB 1136 (Pr. No. 1332) (Rereported)

An Act amending the act of November 1, 1971 (P.L.495, No.113), entitled, as amended, "An act providing for the compensation of county officers in counties of the second through eighth classes, for compensation of district attorneys in cities and counties of the first class, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," providing for the compensation of district election officers; and making repeals.

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

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

HB 1476 (Pr. No. 2285) (Rereported)

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Indemnification Board and its powers and duties, for the Underground Storage Tank Indemnification Fund, for eligibility of claimants including certified tank installers and for audit, sunset and performance reviews; and providing for Underground Storage Tank Environmental Cleanup Program and the Upgrade Loan Program.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Advanced Environmental Recycling Company, L.L.C., of Allentown by Senator Afferbach.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Y. Bardroff, Sr., by Senator Bell.

Congratulations of the Senate were extended to Ralph Brill by Senator Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. John Brown, Sr., by Senator Lemmond.

Congratulations of the Senate were extended to Brandon Michael Satterwhite, Sister Jordan Marie Goeke and to Eric George by Senator Rhoades.

Congratulations of the Senate were extended to Emma Barco by Senator Robbins.

Congratulations of the Senate were extended to Michael S. Shafman by Senator Salvatore.

Congratulations of the Senate were extended to Jeffrey Andrews by Senator Slocum.

Congratulations of the Senate were extended to Pauline Croussaloudis and to the Monongahela Area Historical Society by Senator Stout.

Congratulations of the Senate were extended to Jeffrey P. Barrell and to David G. Nelson by Senator Tomlinson.

Congratulations of the Senate were extended to DiverseyLever of East Stroudsburg by Senator Uliana.

Congratulations of the Senate were extended to Zac Hoffman and to David Perkins by Senator White.

Congratulations of the Senate were extended to Pennsylvania Midwifery Associates of Philadelphia by Senator Williams.

Congratulations of the Senate were extended to Garth Brooks by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 97, SB 771, SB 799 and HB 1475.

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

PETITIONS AND REMONSTRANCES

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

Senator WAGNER. Mr. President, yesterday the Senate Committee on Judiciary held a public hearing to examine the recent escape of an inmate from the State Correctional Institute at Camp Hill, an inmate who is still at large, and his name is Edward Thomas Brown. The escape occurred in July of 1997, and since that time it is believed that inmate Brown has been involved in at least three other crimes - crimes of kidnapping, crimes of armed robbery, crimes of carjacking - and we are not sure what other crimes. But these crimes have occurred in Scranton, Pennsylvania; Raleigh, North Carolina; and Hopewell, Virginia. As I indicated, the inmate is still at large.

The Commissioner of the State Department of Corrections told the committee that the escape was the result of a series of mistakes by staff, that the people responsible have been disciplined, and that steps have been taken to ensure that the mistakes were not repeated. Mr. President, 8 months ago the Committee on Judiciary held a public hearing to examine an escape by six inmates at the State Correctional Institute at Pittsburgh.

That State Correctional Institute is in my senatorial district. The Commissioner of Corrections told the committee that the Pittsburgh escape was the result of a series of mistakes by staff, that the people responsible have been disciplined, and that steps have been taken to ensure that the mistakes were not repeated. Mr. President, I am not convinced that those statements made by the Commissioner of Corrections at that time were accurate.

Mr. President, 12 inmates have escaped from prisons managed by the Department of Corrections over the last 3 years. Every time an escape occurs, the Commissioner of Corrections has made the same response. He admits that mistakes were made by himself and by others. He expresses concern, sometimes even shock, about the way the prisons are run. He disciplines the Corrections Department employees. At Camp Hill, those disciplines involved rank-and-file employees only. At Pittsburgh, rank-and-file and some management employees were disciplined. I felt at Pittsburgh the discipline did not go far enough.

It appears, Mr. President, based on the record, that the management of the Corrections Department does not understand or accept the responsibilities that I think need to be accepted to prevent some of these mistakes. After listening to the most recent testimony of the Commissioner of Corrections, I am deeply concerned. Perhaps I am even frightened, even though I consider that to be a strong word, about the management of our State Department of Corrections.

We have seen recent examples of maximum security institutions that are anything but maximum security, or considered to be secure. We have seen the consequences of a system that does not know why inmates are sometimes serving time and continues to allow violent criminals to work outside the prison walls, which was the case with inmate Edward Brown, keeping in mind that inmate Edward Brown escaped, even though inmate Edward Brown was serving 16 to 32 years for offenses such as attempting to kill a police officer, kidnapping, and armed robbery. This individual was permitted to go outside the prison walls and work at a so-called maximum security prison.

Mr. President, there appear to be some serious systematic problems within the Department of Corrections, particularly related to inmate records, which I think every one of us in the Senate and every Pennsylvanian should be concerned about. Certainly, the management of our prisons, I believe, is in question. Testimony by some employees at yesterday's Senate Committee on Judiciary hearing indicated that they have, for instance, two separate computer systems at Camp Hill. The information about employees on the two systems is not complete and is not the same, and may, in fact, have related to the classification of inmate Brown being permitted to go on the outside of the prison, when in fact a violent offender should not be given that kind of classification.

I believe the Senate Committee on Judiciary should hold additional hearings, hearings that examine the Corrections Department from the top down, not the bottom up. I believe we need to hear from the superintendent of Camp Hill, I believe we need to hear from the superintendent's assistants at Camp Hill to truly get to the bottom of this most recent es-

cape. We all know we spend billions of dollars a year on our State prison systems. We certainly need to make sure that in spending that money, the money is being spent well and violent offenders are not outside our prison walls.

Mr. President, since the break in Pittsburgh on January 8, 1997, which I indicated earlier is in my senatorial district, I took great time to try to understand why the Pittsburgh break occurred. I found out that there were serious breaks in the management system at SCI Pittsburgh, which permitted the break to occur. Since that time, I have visited five prisons within the Department of Corrections. In addition to SCI Pittsburgh, or more commonly referred to as Western Penitentiary, I visited SCI Frackville, SCI Huntingdon, SCI Rockview, and SCI Somerset, some of which are maximum security institutions. I have found that there is good management within the Department of Corrections at some prisons, and I have found that there are concerns and holes in security at other institutions.

That is one of the reasons why I have instituted or drawn up legislation, a half-dozen pieces of legislation, to address some of those concerns. None of those bills have received any serious consideration from the other side of the aisle, and that concerns me also. It concerns me that we continue to have breaches in the security system of a department that houses 35,000 inmates and we as a Senate have not been prepared to deal with some of those issues legislatively.

Mr. President, I think we need to really initiate an aggressive analysis and investigation of the management system of the Department of Corrections, and that is the point I want to make here today. The testimony that we heard at the public hearing of the Committee on Judiciary yesterday raised many concerns, especially when the employees who were reprimanded and fired brought to our attention and said for the public record what I consider to be serious concerns as to why inmate Brown escaped at SCI Camp Hill. For instance, it has been said that that inmate was identified as being an inmate who was a violent offender, and that was part of the record at Camp Hill. But for some unknown reason, management at Camp Hill never clearly identified that, but in fact what happened and who was reprimanded were the rank-and-file employees. I think that has to raise serious concerns to us as elected officials, to the Governor, to everyone responsible for State government and the Department of Corrections.

Mr. President, the bottom line is that we have a convicted violent criminal on the loose here in Pennsylvania, or possibly in another State, and what we really have to do is find out why. What we really have to do is make sure that there are measures in place that prevent these kinds of breaks from occurring again. If any of you, and some of you did tour SCI Pittsburgh after the break and you saw the problems that existed at SCI Pittsburgh in the maintenance department, in the recordkeeping department, in the contractors coming in and out of the prison, in the tools that were in the hands of prisoners at SCI Pittsburgh, and the lack of management involvement in the daily operation, and I am talking at the top level, the superintendent of the prison not knowing some of the problems that existed and had existed not for days, not for weeks but for

months at that prison, we all need to be concerned. And obviously the same thing occurred, to a lesser degree, at Camp Hill. The difference between Camp Hill and Pittsburgh is that the six prisoners who escaped at Pittsburgh have been apprehended. That is not the case at Camp Hill.

Mr. President, we need to turn up the heat on the Department of Corrections and find out factually if corrective measures have been put in place to ensure the public that no further breaks will occur in the future. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, I rise to discuss and possibly to some degree answer some of the points and questions that were raised by my colleague in regard to the issue concerning the escape of inmate Brown from Camp Hill. First of all, to put this in perspective, this was a hearing that was originated by the committee and by the chairman, of which I am of that committee, on our own. I did not receive a letter from my colleague or any other Senator that I am aware of, and I just checked with my staff, that we should hold those hearings. It was an interest that we had ongoing with the Department of Corrections, and to infer that the committee has no interest in Corrections is patently false and inaccurate, at the least. In fact, we have held days of hearings both before this administration, and when we had the hearing in Pittsburgh, we went out there, and when this occurred at Camp Hill and we read the reports, it was the decision on my part that I felt we should look into this and find out exactly what happened.

At yesterday's hearing, we spent most of the day hearing and going over testimony from the Commissioner. With him was his deputy commissioner of Corrections, and also the superintendent of Camp Hill was available to testify, although he did not, and no one asked him to testify. He was there, we identified them, and no one on the committee asked that they be heard or offer their testimony. In addition, yesterday we had been contacted by the union representatives expressing their concerns, and we thought it was important for us, and I am sure that they were the ones who wanted to have the opportunity to express their concerns and what happened in this situation. I thought it was important to hear from them, and we did. We heard from two of the employees who have been disciplined, the shop steward, their attorney, and also another union representative. And so we heard both sides.

We heard Commissioner Horn's account of what happened, and his account was that the Governor and the Department of Corrections had initiated on their own, there had been no policy about having violent prisoners working outside of the grounds of the penitentiaries, and because of that policy that they initiated, there was a review of all inmates, and in fact the Commissioner indicated that he personally interviews and goes over the documents of any violent offender before they are allowed to work outside. In this particular case, the Deputy Commissioner reviewed this file, the Brown file, and specifically stated that this individual should not and was not to be allowed outside the prison walls. He then issued that order and that order went on down the line, and there was a procedure in which individuals were to follow up on this and to remove his

classification from a 2R, I believe it was, to a 2. I believe the "R" was the designation that he was allowed outside the prison.

It is not my personality or my method to point fingers at anyone, and I am not going to do that today, but obviously someone at the level personally dealing with this inmate did not change his classification, even though at one point his picture was taken off the gate, and you had to have your picture on that gate before you could leave the facility. There were questions about it, and there was a policy that said you had to investigate a situation to determine if an individual should be allowed out or not, especially if there was any question. And there was really a question as to whether there was ever an investigation done on the level, the administrative level or the employee level, that dealt directly with Brown.

So I do not believe that it is an administrative problem. We had an individual who was a probationary employee, who had been working there, I believe, approximately 6 months, who had taken Brown on a work detail. There were some mistakes that he made as an employee against certain policies, and as a result of those cumulative mistakes, this inmate was able to gain his freedom and to leave.

As far as holding additional hearings, I do not believe that is necessary. We have heard from just about everyone who is involved in the situation except for the probationary employee, and we tried to locate him and were not able to. The department has not been able to find him, the union has not been able to find him, and so I do not think it is likely that we are going to. But other than that employee, we did have the opportunity to speak to the employees who were disciplined. We heard their version. There was a third person whom we invited, an employee. She did not appear, she had the opportunity to appear, and so the important point here, I believe, is the fact that we know exactly how this happened, why it happened.

There are two remedies. One would be the introduction of legislation to deal with that specific point, and I do not believe that legislation is going to solve that particular issue. Secondly, there are administrative changes that could occur, and it was clear to me that the Commissioner was going to do that, that he already had an administrative policy dealing with violent offenders, and that he was conducting an audit all over the system to determine and make sure that there are no other Brown mistakes as there were in this situation, and that all the front line employees are evaluating these inmates properly and not releasing them and not allowing them to work outside if they are violent offenders, unless the Commissioner himself personally has approved that change.

So with that in mind, I think it is important to note that the Commissioner is now taking the appropriate steps, and I feel I have absolute confidence in him that he will take those steps and follow through with it, and I do not believe that there is any need for additional hearings unless we want to make it into a political issue, which is not my intention. I have never made the Department of Corrections a political issue, and I certainly do not intend to do it now. Thank you.

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

Senator WAGNER. Mr. President, I would like to follow up with another comment or two, and first off I would like to compliment my colleague, who is the chair of the Committee on Judiciary, for showing the interest and concern that he has shown in having the public hearings in regard to the prison break at Pittsburgh in Pittsburgh, and yesterday about the recent Camp Hill prison break.

I am not sure whether the comment referred to me about making an issue political, and believe me, I have never wanted to deal with this issue. If the comment was referred to me, I have to respond to it. I hope there is never another prison break in any of the 23 prisons in the Commonwealth of Pennsylvania. All I have ever done is respond and analyze and investigate, and take considerable time in doing so, those prison breaks. All I want to do is be reassured that there are policies in place to prevent it from occurring again in the future, and I believe the public has every right to demand that, based on the fact that the fastest growing item in our annual budget is our Department of Corrections, which literally steals money from the Department of Education and many other worthwhile State programs. The cost of these breaks is also astronomical in terms of the man hours that go into attempting to apprehend these prisoners.

I think, although we have to be frank, my colleague has to agree, because he brought up one of the items, that I am not convinced that policies have been changed sufficiently to prevent some of the things that occurred at Camp Hill from recurring. A maintenance employee, a probationary maintenance employee, was assigned to a prisoner to go outside the prison walls to do work. An employee, not a corrections officer, not a security officer, a maintenance employee with a convicted violent offender. Now, if anyone in this Chamber has received notification that that policy of a maintenance employee being assigned to someone who was convicted of a violent crime has been changed, please let me know. I have not received any information about a change in policy related to what I consider to be a discrepancy in management policy at Camp Hill. I am not certain that proper screening is done to permit inmates to work outside of the prison walls, and I know what the public wants. The public wants nonviolent offenders to do that kind of work, or if it is a violent offender, they want security personnel or corrections officers assigned to those people outside of the prison walls, not maintenance employees. That is what has happened. So it is my responsibility as an elected Senator to ask these kinds of questions, and I am going to continue to ask them as long as I am a Senator.

Again, I want to compliment my colleague for having the hearings he has had, and I hope that some additional inquiries will be made or possibly even further analysis at Camp Hill and other institutions.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, let me say that my comments were certainly not meant to be discourteous to the Senator in any way. In fact, Senator Wagner has been to every one of our hearings, both in Pittsburgh and yesterday, and I

found that he asked the most insightful and probing questions that any of us asked, including the chairman. He did a wonderful job at both hearings in eliciting certain facts that were important for the consideration of the committee, including yesterday in regard to the number of violent offenders that may still be outside the prison walls. I think that was an area that Senator Wagner elicited, and so I think that is important.

I also think that the issue would not really serve a lot of purpose to bring Commissioner Horn back to discuss these policy issues for a public hearing, but what I would like to do and offer to Senator Wagner is that we both communicate with him and discuss these policy changes, because I believe after the hearing he did indicate that maintenance workers, although they do have care and custody responsibilities, that it be made sure that they are adequately trained. My understanding is that they do not receive the same number of weeks of training that a security guard receives, and so that is something I think that is important to look into. My understanding from the Commissioner was that he was going to look into that to make sure that their training was improved. I would offer the Senator the opportunity to correspond with the Commissioner and myself and to develop assurances that those policy matters have been changed and altered.

Thank you.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, OCTOBER 1, 1997

9:30 A.M.	AGING AND YOUTH (to consider Senate Bills No 438 and 950; and House Bill No. 89)	Room 8E-B East Wing
1:15 P.M.	COMMUNICATIONS AND HIGH TECHNOLOGY (public hearing on electronic commerce)	Room 8E-B East Wing

THURSDAY, OCTOBER 2, 1997

9:00 A.M.	FINANCE (public hearing on Senate Bill No. 287)	Upper Uwchlan Twp. Municipal Building, Chester County
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WEDNESDAY, OCTOBER 8, 1997

9:00 A.M.	FINANCE (public hearing on Senate Bill No. 287)	Gold Room Allegheny Cty Building
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ANNOUNCEMENT BY MAJORITY LEADER

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

Senator LOEPER. Mr. President, before I make the adjournment motion, I remind all Republican Senators to report imme-

diately to the first floor Caucus room for a very brief but important caucus.

ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Wednesday, October 1, 1997, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 2:40 p.m., Eastern Daylight Saving Time.