

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MAY 5, 1998

SESSION OF 1998

182ND OF THE GENERAL ASSEMBLY

No. 31

SENATE

TUESDAY, May 5, 1998

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

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

PRAYER

The Chaplain, Reverend JAMES GRUBB, of Grace United Methodist Church, Harrisburg, offered the following prayer:

Let us pray.

Creator God, we reverence You as the ground of all being. Our lives are anchored in Your providential care. You are supreme wisdom, all embracing compassion, and ultimate truth. We acknowledge that there is a grand design in Your creative handiwork, and we seek to conform our wills and our ways to Your eternal purpose. As in the beginning, You brought order out of chaos, so guide us in these challenging times as we seek to order life for the common good.

Bless this day, we pray, the Members and support staff of this Senate. Grant them the vision, compassion, and resolve necessary to lead this Commonwealth in the present age. And as they serve us, the citizenry, we would uphold them with our support, not simply claiming our rights, but faithfully assuming our responsibilities.

And so in thanksgiving for Your blessings in the past, in supplication for Your guidance in the present, and in hope for that which You will bring to fruition in the future, we praise You and acknowledge You, our Creator God. Amen.

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 4, 1998.

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

HOUSE MESSAGES

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1520**.

HOUSE BILL FOR CONCURRENCE

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

May 4, 1998

HB 1473 -- Committee on Consumer Protection and Professional Licensure.

RESOLUTION INTRODUCED AND REFERRED

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

May 4, 1998

Senators MELLOW, THOMPSON, MUSTO, CONTI, BODACK, WILLIAMS, O'PAKE, SCHWARTZ, KUKOVICH, KASUNIC, STAPLETON, TOMLINSON, WAGNER, BELAN, AFFLERBACH, COSTA, STOUT and TAR-TAGLIONE presented to the Chair **SR 196**, entitled:

A Concurrent Resolution urging the Governor to establish a committee to study the adverse effects of latex and latex-containing products.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 1998.

BILL SIGNED

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

HB 1520.

REPORTS FROM COMMITTEES

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

SB 1415 (Pr. No. 1882)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for maximum axle weight of vehicles.

HB 1660 (Pr. No. 3549) (Amended)

An Act designating a section of SR 0073 in Montgomery County, Pennsylvania as the POW/MIA Memorial Highway; and designating a bridge in Chester County as the Marty Godra Memorial Bridge.

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

HB 1597 (Pr. No. 3337) (Rereported)

An Act amending the act of June 23, 1931 (P.L.899, No.299), known as the Public Bathing Law, further providing for definitions; requiring lifeguards; and providing for the use of certain pesticides in swimming pools.

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

SB 1135 (Pr. No. 1331)

An Act amending the act of September 24, 1968 (P.L.1040, No.318), entitled, as amended, Coal Refuse Disposal Control Act, limiting the liability of owners who make land available for pollution abatement or educational purposes.

HB 10 (Pr. No. 3548) (Amended)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for marking of dams.

HB 2475 (Pr. No. 3296)

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, repealing provisions relating to limitation on General Fund money.

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

SB 1091 (Pr. No. 1996) (Amended)

An Act requiring telecommunications carriers to change a subscriber's carrier selection for local service and regional and long distance toll service in accordance with the Federal Communications Commission's verification procedures; and imposing powers and duties on the Pennsylvania Public Utility Commission.

HB 558 (Pr. No. 3547) (Amended)

An Act amending the act of November 24, 1976 (P.L.1182, No.262), known as the Hearing Aid Sales Registration Law, providing for continuing education, for registration certificate fees, for return of hearing aid and for suspension and revocation.

Senator HOLL, from the Committee on Banking and Insurance, reported the following bill:

SB 1385 (Pr. No. 1997) (Amended)

An Act amending the act of December 5, 1972 (P.L.1280, No.284), entitled Pennsylvania Securities Act of 1972, further providing for definitions; further providing, in the securities area, for registration, for exemptions, for registration by coordination, for registra-

tion in general, for registration sanctions, for records and for retroactive registration; providing for Federally covered securities; further providing, in the area of broker-dealers, agents and investment advisers, for registration, for exemptions, for registration procedure, for postregistration procedure, for registration sanctions; further providing for prohibitions, for contract requirements and for misrepresentations; providing for school district prohibitions; further providing for civil liability, for enforcement, for investigations and for criminal penalties; providing for barring activities and for rescission; further providing for fees, for assessments, for administrative files, for powers of the Pennsylvania Securities Commission and for regulations and orders; and canceling Federal preemption.

LEGISLATIVE LEAVES

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

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

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

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Costa and Senator Schwartz, and a legislative leave for Senator Williams.

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

CALENDAR**BILL ON CONCURRENCE IN HOUSE
AMENDMENTS AS AMENDED****SENATE CONCURS IN HOUSE AMENDMENTS**

SB 284 (Pr. No. 1987) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P.L.1005, No.205), entitled Municipal Pension Plan Funding Standard and Recovery Act, further providing for additions to the actuarial valuation report, for supplemental State assistance and for a home rule municipality formerly classified as a city of the second class; authorizing the reestablishment of initial unfunded actuarial accrued liability; specifying a new 40-year amortization period; and prescribing the calculation of the amortization contribution for the pension funds.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 284?

Senator LOEPER. 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. 284.

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-50

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

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.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR EDWARD W.
HELFRICK PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Northumberland, Senator Helfrick.

Senator HELFRICK. Mr. President, I realize you have some close ties to the town of Bloomsburg, so I think you will be very proud of these young ladies we have here today.

Mr. President, it is my honor today to present to the Senate the 1998 Pennsylvania State Champion Girls' Swim Team from Bloomsburg Area High School. Coached by Mike Campbell, Bill Derr, and Amy Williams, the Panthers posted a 14-2 record this year on the way to the State Class AA title. The team has an outstanding record of 44-2 for the past 3 years. This team proudly boasts five State champions, four all-American swim team members, four academic all-Americans, and several State and national recordholders.

Mr. President, it has been my honor to present State champions to the Senate before. As you know, we have many great football and basketball teams in my district, and I appreciate them all being here, but those champions all have been from high-profile sports such as football and basketball. I think it is important to recognize the accomplishments of all our young constituents who take part and succeed in sports or other school activities. I am proud to represent the young ladies who honor us with their presence today.

Mr. President, I understand that Representative Gordner from Bloomsburg is in the audience today.

Mr. President, I would appreciate the usual warm welcome of the Senate to the 1998 State Championship Bloomsburg Panthers Girls' Swim Team.

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

(Applause.)

The PRESIDENT. The Chair thanks Senator Helfrick for those most appropriate words.

**GUESTS OF SENATOR MICHAEL A. O'PAKE
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, I would like the Chair to recognize two of our guest Pages today. They are very special. One is Andrew Thomas, a young student from Saint Margaret School in Reading, who has done very well recently in the countywide spelling bee, and also Mr. Ben Nicol, from the Oley Valley School District. Ben is a member of the team that just won the statewide Odyssey of the Mind competition finals held in Altoona. He and the rest of the Oley Valley Odyssey of the Mind team will be representing Pennsylvania in the national competition at Disney World in Florida at the end of May.

So I ask the Chair to recognize Andrew Thomas and Ben Nicol, outstanding students from my district in Berks County.

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

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

**BILL ON CONCURRENCE IN HOUSE
AMENDMENTS AS AMENDED**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1168 (Pr. No. 1990) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of Conservation and Natural Resources, with the approval of the Governor, to convey to Turkeyfoot Fish and Game Association, Inc., a certain tract of land situate in Henry Clay Township, Fayette County, in exchange for certain tracts of land; and authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey a sanitary sewer right-of-way over certain State land to Penn Township, York County, Pennsylvania.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 1168?

Senator LOEPER. 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. 1168.

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-50

Afflerbach	Greenleaf	Mellow	Stout
Armstrong	Hart	Mowery	Tartaglione
Belan	Helfrick	Murphy	Thompson
Bell	Holl	Musto	Tilghman
Bodack	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Uliana
Conti	Kasunic	Punt	Wagner

Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Delp	LaValle	Salvatore	Williams
Earll	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

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 682 (Pr. No. 1975) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 10, 1982 (P.L.454, No.133), entitled "An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances," further providing for definitions and for limitation on public nuisances.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 682?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 682.

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-50

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

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 OVER IN ORDER

SB 888 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

THIRD CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 413 (Pr. No. 3523) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for restitution for personal or property injuries and for arson and related offenses and for obscenity; and prohibiting transportation of minors in open trucks.

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-50

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

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.

SB 930 (Pr. No. 1983) -- The Senate proceeded to consideration of the bill, entitled:

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

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-50

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

NAY-0

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

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

SB 1440 (Pr. No. 1985) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 2, 1992 (P.L.741, No.113), entitled Children's Health Care Act, further providing for legislative findings and intent, for definitions, for children's health care, for outreach, for payor of last resort and for limitation on expenditure of 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?

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

Senator HOLL. Mr. President, the legislature, in considering Senate Bill No. 1440 today, is taking action to resolve a pressing problem, the high number of working families who do not have employer-funded health insurance for their children and cannot afford to purchase it on the open market. Pennsylvania's CHIP program is designed to meet that need by making insurance available at little or no cost to qualified families. This year Pennsylvania has the opportunity to take advantage of a 1997 Federal law that will provide \$20 billion for State CHIP programs, \$20 billion. And this is over the next 5 years, and it will help the State provide this crucial benefit to even more children.

Senate Bill No. 1440 will pave the way for the Commonwealth to participate in this Federal program and enable Pennsylvania to draw down available Federal funds for CHIP in the next fiscal year, bringing total funding for the program to approximately \$130 million. The new funding will allow the State to provide CHIP benefits to between 100,000 and 125,000 more children. Currently, approximately 54,000 children are enrolled in the CHIP program.

First, the bill hands sole control of the program over to the State Insurance Department, in accordance with Federal law. It also expands CHIP to increase the program age and income

limits. Under the bill the age limit is increased to provide free health insurance for children up to age 19 from families with incomes no greater than 200 percent of the Federal poverty level. Currently, the law provides free insurance for children under age 17 with a family income cap at 185 percent of the poverty level. For children up to the age of 18 and families earning between 200 percent and 235 percent of the poverty level, health insurance would be available through the subsidized low-cost program.

The legislation will also change the way the State contracts for health insurance providers, establishing a competitive bid process on a 3-year cycle.

Pennsylvania has a tremendous program now, and we have the opportunity by voting "yes" on this bill to expand it to more children in need.

Thank you, Mr. President.

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

Senator KUKOVICH. Mr. President, I want to commend the administration for the work that they have done to try to come up with a bill that will comply with Title 21 of the Federal Social Security Act. I think this bill does that. I think it does expand the bill, as Senator Holl said, in a prudent way that will be able to get to the roughly 70,000 CHIP-available children the assistance they need. I think we should all be proud that we have been able to create a model for the rest of the country with the CHIP legislation, and with this legislation we will be able to continue to draw down the Federal dollars due us and continue to provide more help for the children of the working poor.

I am also interested in adding that this is still just another step, and there will be more that we can do, both with the Federal dollars and perhaps using the administrative process in the future to expand coverage for as many children as possible. I think this should be one of the easiest votes that we will have to cast in this legislative Session.

Thank you.

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

Senator TOMLINSON. Mr. President, I would just like to rise to ask my colleagues to support this bill. It has been my privilege to work on this bill and provide an expansion of the CHIP program. I think we should acknowledge that back in 1992 the legislature started us down the road of an exceptional program to provide insurance for families who could not afford it, and what we are doing here today is bringing the law into compliance. We are consolidating the administration of the CHIP program in the Insurance Department, and we are establishing a competitive bid process to award contracts for provision of service to available children.

We are basically bringing our process, as Senator Kukovich has said, into Federal compliance, and what that does is allows us to participate in the \$20 billion that the Federal government has released. And by us putting in \$15 million from State funds and using the \$32 million from the cigarette tax, we now will be able to draw down \$81 million, for a total of \$128 million that we will be able to provide for low-income insurance

and people who cannot afford any insurance at all. And what we will do, the bottom line of that is we will increase by 100,000 children those who can participate in this program and 21,000 children who can participate in the program that is subsidized.

Mr. President, I ask that we all give an affirmative vote, and as Senator Kukovich said, this is a very easy vote. Pennsylvania has been a leader in this program. This legislation just allows us to expand that to 125,000 additional children.

Thank you.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Murphy.

Senator MURPHY. Mr. President, I would first like to applaud and thank Senator Tomlinson for offering Senate Bill No. 1440 and expanding the CHIP program. As I speak with other legislators on the Federal level and from other State governments around the nation, one of the issues that they frequently compliment Pennsylvania on has been the Children's Health Insurance Program and how it has served as a model across States and really for Federal legislation as well, and all the Members of this Chamber and in the House of Representatives who worked on that are to be commended. It also provides a situation where too often we have seen Federal mandates come down without funding, but here is one which really provides a significant amount of money nationwide, \$20 billion over the next 5 years, which can be used to extend health benefits to children.

It is a tremendous program. We have a great opportunity here to expand health benefits to more working families, to families who are struggling to get by and who up to this point have not been able to get health insurance, and I look forward to its passage.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Schwartz has returned from temporary Capitol leave, and her leave will be cancelled.

And the question recurring,
Shall the bill pass finally?

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

Senator SCHWARTZ. Mr. President, I, too, would like to comment on this legislation. I apologize for being a little late to the floor, but I did want to comment on this because I really, as some of you may know, was very involved in the original passage of the CHIP legislation, and hearing the prior speaker's remarks, he is absolutely correct. We have been touted nationally for this program, for being able to extend health benefits, private health insurance to children of working families. It is a model that, of course, the Federal legislation looked at very carefully and took the opportunity to extend to the entire country, and many States are moving forward in

very exciting ways to make sure that we are able to offer health insurance to many, many more children.

Of course, the CHIP program has always been limited by the amount of money that we have put into it, the 2 cents of the cigarette tax, and more recently the extra one penny to be able to keep 50,000 children enrolled in the CHIP program. It is very, very exciting to have almost \$600 million from the Federal government available to us over the next 5 years, to be able to extend this program, the Children's Health Insurance Program, to almost double the number, triple the number, actually, another 50,000 children. As I understand it, over 100,000 children will be able to be added to the already 55,000 children in the CHIP program now.

That is very exciting for working parents who want very much to be able to get timely health care for their children and yet have been held back by the fact that they just simply do not have the money to even take their children in for preventive care, let alone treatment of illness. And we do know that it makes an enormous difference to know that those visits will be covered, and we should be proud of the fact that this is not just catastrophic coverage, but this does cover preventive care and health maintenance and all the kinds of services that we know our children need. Of course, the Federal rules do allow us to extend the program all the way through age 19 to 200 percent of poverty level for all those age ranges. That is really very exciting, and I am very, very pleased about that.

What I did want to just very briefly point out is that in addition to the 155,000 children who will hopefully be covered under the CHIP program once it really gets going, we also know that there are many children, almost another 100,000 children, who are eligible now, currently eligible and entitled to the Medical Assistance program and their parents do not know it and their parents have not enrolled those children, and we have not truly reached out to them the way we need to. If we were to enroll those almost 100,000 eligible children in the Medical Assistance program, add that to the CHIP program, we then are left, Mr. President, with about another 100,000 children who will not have health insurance in the State, and those are children of working parents who will just miss the cutoff for the eligibility for the CHIP program and will miss the eligibility for Medical Assistance and yet still have a very hard time making ends meet and paying for health insurance.

I have two suggestions about that, if I may. One is that we really need to, I believe, consider how we can reach out to them. Of course, I think it is always good to encourage employers to cover dependents as well. But I have legislation, Senate Bill No. 1229, that would require all insurers, all the companies that write health insurance across the State, to offer the CHIP program at the CHIP cost to any child in this Commonwealth. In other words, I would ask that the insurance companies not make money off health insurance for children and to make available to parents, most of whom are working who will make too much money to be able to get into the CHIP program, low-cost health insurance for the children. We do have a chance, we have an opportunity here to reach all children who need health care, and we really should. As I often do on this floor, I encourage my colleagues to think even

more grandly about how we can do a better job of helping our children.

Secondly, Mr. President, I just want to say that this is also an opportunity, generally speaking, for all of the children who will be eligible for CHIP and eligible for Medical Assistance, we have to do a better job of outreach. We have to do a better job of telling Pennsylvanians that there are programs available if they do not have health insurance now for their children. There are programs that are available, private health insurance companies that will write this insurance program for their kids, and we need to tell them. We need to be aggressive in our outreach. We need to be sure that they know about it. There is a 1-800 number. I have actually produced a little flyer I give out in my own district encouraging people to call and find out about the program. We need to do a much better job of that.

In addition, we need to create a much more seamless system for those who do come forward, so that if you go to see somebody who can offer the CHIP program but in fact you are eligible for Medical Assistance, that same form should work. There should be a unified form. There should be a seamless system of information so that when you go somebody does not say, yes, I think I heard something about Medical Assistance, maybe you should call the Welfare Office. There should be very good information about Medical Assistance available to anybody who is asking about the CHIP program, and, in reverse, anyone in the Medical Assistance office who has somebody come in, a mother or parents, and ask, is there anything you can do for me, and they say, I am sorry, you are not eligible for Medical Assistance, right then and there they should be able to say, there is such a thing as the CHIP program and here is the form and I will help you fill it out and let us get you enrolled right away. So we need to do that. I understand from the administration that there is a good bit of interest in doing that and a lot of receptiveness to doing it right. I hope that we will do that and do that aggressive outreach, creating a more seamless system.

I would just mention that during the process for new contracting, letting new contracts under the CHIP program, which I understand we will be doing next year, we ought to look at whether it is possible to really treat the benefits package as articulated in the CHIP legislation as the floor, not the ceiling, of benefits. There are still a variety of benefits that we know children need, particularly mental health benefits, durable medical equipment, that are not now covered that could be and should be. I hope that in the negotiations in the RFP process that we can consider an expansion of some of those benefits.

Lastly, we should assure quality. We have had a lot of discussion. Senate Bill No. 100, I understand, may be dealt with in the House today. We have dealt with that ourselves over here. We need to be concerned that the contracts get monitored for quality assurance in the services they provide to children and also that they are making use of the money in the most appropriate way as far as administration and outreach.

I conclude by saying I understand there have been very good discussions with the administration, that they are excited about being able to take advantage of this Federal program. I appreciate the fact that when I spoke many times on the floor

encouraging the Governor to take advantage of the hundreds of millions of dollars from the Federal government for children's health care, I was a little bit concerned about what that would mean in terms of cost-sharing to the State. The fact that he did so, the fact that we are moving ahead today is very important. It is important to the children of Pennsylvania. It is important to all their parents. It is important to all of us to provide health care to some of our youngest citizens to make sure that they get the very best, healthiest start in life.

Thank you very much, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I also rise to urge support for Senate Bill No. 1440 and to urge a unanimous vote in the affirmative. I am very happy with this bill. I am very proud to be here today and stand here and tell you that, because so often we are faced with partisan debate and political controversy, and many times that leads up to failure on this floor, whether it is based on just cause or not, to reach the kind of bipartisan consensus that our constituents demand from us. That is why on this bill, Mr. President, as I said, I am proud of what is before us. I am proud, as every Member of this State Senate should be, of a measure to put Pennsylvania's children first and say that we are doing everything that we can in this State to guarantee that our youngest citizens get the health care that they so richly deserve.

It was nearly 6 years ago, Mr. President, as I am sure you will recall, that Pennsylvania enacted its landmark nationally acclaimed Children's Health Insurance Program, which has become known as CHIP. On this side of the aisle we are especially proud to point out that this was the very first bill that passed this Senate when the Democrats gained control of the Senate in 1992. Nonetheless, Pennsylvania's CHIP program has become the standard for the whole nation, a national public-private partnership model to make sure that our children get the first-rate health care that they need to grow up healthy and to stay that way.

So today with the State's contribution of revenues of 3 cents of the existing tax on a package of cigarettes, along with the promise of as much as \$613 million in Federal funds over the next 5 years, this legislation expands our CHIP eligibility to provide free or reduced cost health care coverage to tens of thousands of additional children throughout our State. The legislation also takes some steps to reach out to children who should be covered but have fallen through the cracks. I am very much encouraged by those steps.

At the same time, Mr. President, I would like to take this opportunity to urge the administration to take immediate steps to finalize development of a single but simple application system, because, of course, the families who do apply should be able to apply using only one form. It should not matter whether a child qualifies for CHIP coverage or for Medical Assistance. I do not know how that should be done. I think we should allow the bureaucrats to figure out which program they come under, but the important thing is and will be to make sure that our children get the health care they deserve. A single, simple application system has been talked about for a

long time, and it is advocated by the Pennsylvania Partnership for Children. I urge the administration to implement this commonsense policy administratively just as soon as possible.

I think that the passage of Senate Bill No. 1440 places Pennsylvania on the threshold of being able to virtually assure health care coverage for all uninsured children in Pennsylvania. As I said before, it is a proud moment for me and it should be for all of us on this floor, and I am glad that today at least, on this bill at least, we are making Pennsylvania's children our top priority.

Thank you, Mr. President.

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

Senator LOEPER. Mr. President, I certainly agree with the remarks of all the previous speakers. However, I would just suggest that the Minority Whip might want to check the Legislative Journal for 1992, because as I recall, I believe that I was the Majority signer of the conference committee report on that legislation that we passed here in the Senate.

Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

SPECIAL ORDER OF BUSINESS

**GUESTS OF SENATOR VINCENT J. HUGHES
PRESENTED TO THE SENATE**

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

Senator HUGHES. Mr. President, I want to ask the indulgence of the Members for a moment. I have the great privilege of presenting to the Senate of Pennsylvania three members of, if you will, the magnificent seven. Just this past year these three gentlemen were part of seven individuals from Scout Troop 93, which is sponsored by Mt. Olivet Tabernacle Baptist

Church, which is located in the 7th Senatorial District, who received the honor of Eagle Scout. Seven gentlemen out of a class of approximately 20 to 25 Scouts went on. That is significant because nationally only about 2 percent of all Scouts earn that very distinguished award.

I would like to call their names. They are here with their Scoutmaster, Mr. Williard Ron Merritt. They are joined by Mr. Terrance Keen, Mr. Theodore Smith, and Mr. Jacob Vanish. It is also my privilege to say that of these three, two are seniors and one already is attending Drexel University. One is intending to attend Drexel University, and the other will be attending Johnson C. Smith University as this year ends.

If the Senate would please give a very appropriate honor to these three gentlemen, three of the magnificent seven.

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

(Applause.)

**GUESTS OF SENATOR EDWIN G. HOLL
PRESENTED TO THE SENATE**

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

Senator HOLL. Mr. President, I am delighted and honored to stand and introduce a very important group of people from Pennsylvania. These three gentlemen are officers of the Pilots Association for the Bay and River Delaware. Captain Mike Linton, the president, and Captain Joe Guilday are in the gallery, along with another guest. Will you please welcome them and give them our usual warm welcome.

The PRESIDING OFFICER. Would the guests of Senator Holl please rise so the Senate may give you its usual warm welcome.

(Applause.)

THIRD CONSIDERATION CALENDAR RESUMED

**NONPREFERRED APPROPRIATION BILL
OVER IN ORDER**

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

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

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

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

Considered the 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-50

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

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.

SB 491 (Pr. No. 1989) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 11, 1996 (P.L.677, No.116), entitled Infrastructure Development Act, expanding the Infrastructure Development Program to include projects located on long-term vacant commercial sites; and providing for job retention.

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-50

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 636, SB 664, SB 665, SB 666, SB 668, HB 1108, SB 1387 and SB 1396 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

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

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

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-50

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

NAY-0

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

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

BILL REREFERRED

HB 1979 (Pr. No. 2553) -- 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 20-years limitation.

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

BILL OVER IN ORDER

HB 1992 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 2194 (Pr. No. 2890) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled, "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for rates of pilotage; and specifying fees for certain services.

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-50

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

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.

SECOND CONSIDERATION CALENDAR

**BILL REREPORTED FROM COMMITTEE
AS AMENDED OVER IN ORDER**

SB 1077 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS OVER IN ORDER

SB 304, SB 1206, SB 1232 and SB 1429 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 1446 (Pr. No. 1981) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the selection of the chairman of the Legislative Reapportionment Commission; and providing for the effective date of newly reapportioned districts and for the election of Senators in certain circumstances.

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

BILL OVER IN ORDER

HB 1628 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

HB 2038 (Pr. No. 2947) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a food service employee incentive program.

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

HB 2200 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

SENATE RESOLUTION No. 189, ADOPTED

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 189**, entitled:

A Resolution recognizing May 1 through May 7, 1998, as "Elks National Youth Week."

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. 190, ADOPTED

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 190**, entitled:

A Resolution memorializing the Governor to proclaim the week of May 2 through 9, 1998, as "Pennsylvania Safe Kids Week."

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. 191, ADOPTED

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 191**, entitled:

A Resolution designating June 6, 1998, as "Kids' Day" 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. 197, ADOPTED

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 197**, entitled:

A Resolution designating the week of May 10 through 16, 1998, as "MADD Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

LEGISLATIVE LEAVE CANCELLED

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1****BILL ON THIRD CONSIDERATION OVER IN ORDER**

HB 1597 (Pr. No. 3337) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.899, No.299), known as the Public Bathing Law, further providing for definitions; requiring lifeguards; and providing for the use of certain pesticides in swimming pools.

On the question,

Will the Senate agree to the bill on third consideration?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, we on this side of the aisle have not had an opportunity to caucus on this or see this, and I move that this bill go over in its order.

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

Senator LOEPER. Mr. President, I would accommodate the gentleman's request, and I therefore request that the bill go over in its order.

The motion was agreed to.

The PRESIDING OFFICER. House Bill No. 1597 will go over in its order.

**UNFINISHED BUSINESS
CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Mark Piscitelli and to CoreStates Bank, NA, by Senator Afflerbach.

Congratulations of the Senate were extended to the Bach Choir of Bethlehem by Senators Afflerbach and Uliana.

Congratulations of the Senate were extended to Alexander B. Gorman, Justin Julian Leo, John William Myers, Jordan Lamar Atkins and to the Friendship Force of Alajuela, Costa Rica, by Senator Armstrong.

Congratulations of the Senate were extended to Elizabeth Hardman by Senator Bell.

Congratulations of the Senate were extended to Suzan M. Lami by Senator Bodack.

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

Congratulations of the Senate were extended to Mr. and Mrs. Robert L. McGinty by Senator Greenleaf.

Congratulations of the Senate were extended to John Ford Eshenbaugh by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Robert Durbin and to Jeremy David Dunn, Scott Joseph Sharbaugh, Emogene Suder and to Jack Suder by Senator Kasunic.

Congratulations of the Senate were extended to Mary Durish, Frank Haklo and to our Prisoners of War and our Soldiers Missing in Action by Senator LaValle.

Congratulations of the Senate were extended to Dr. Terrance McMahon, Duane Freeman, Paris D. Alunni, Jerry Dreater, Janet Steele, Rose Strach, Barbara LaPorte and to Regina Bonomo by Senator Mellow.

Congratulations of the Senate were extended to Leopold J. Wendekier by Senator Mowery.

Congratulations of the Senate were extended to Brian M. Decima, Nicholas Sobocinski, David Pasternak, South Park High School Girls' Basketball Team, Bethel Park High School Boys' Swim Team and to the Bethel Park High School Girls' Swim Team by Senator Murphy.

Congratulations of the Senate were extended to Doris Frederick by Senator O'Pake.

Congratulations of the Senate were extended to Reverend and Mrs. Russell P. Phillips, Jr., and to the seventh and eighth grade students at Hershey Middle School by Senator Piccola.

Congratulations of the Senate were extended to Beth Ann Bolish by Senator Rhoades.

Congratulations of the Senate were extended to Ryan Stanley Dehrone by Senators Rhoades and Afflerbach.

Congratulations of the Senate were extended to Jason Davies and to the Jamestown Lions Club by Senator Robbins.

Congratulations of the Senate were extended to Daniel K. Gabrielsen by Senator Salvatore.

Congratulations of the Senate were extended to Adam Troy Eckert and to Dirk Richard Mansfield by Senator Slocum.

Congratulations of the Senate were extended to Jane Morrison by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Milton Melchior by Senator Uliana.

Congratulations of the Senate were extended to Dean Wright, Robert Kunkle, Jennie Gallagher, Steve Ace and to the Butler Rodeo by Senator White.

Congratulations of the Senate were extended to Mr. and Mrs. John Gustav Dixon, Catherine Lillian Thiel, Susanna Mattern, Dr. Catharine Berret Kloss and to Michael P. Flynn by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

Senator HOLL. 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 1091, SB 1135, SB 1385, SB 1415, HB 10, HB 558, HB 1660 and HB 2475.

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

PETITIONS AND REMONSTRANCES

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

Senator MELLOW. Mr. President, I will be very brief, but I just want to make sure that there is no question about what took place with the passage of the CHIP program, the Children's Health Insurance Program, in November of 1992.

Mr. President, I had the extreme fortune of serving as President pro tempore of the Senate for a relatively short period of time, but it did begin in November of 1992, and after the election on that one particular evening, the vote being 25 to 23, we immediately reorganized the Senate for the purpose of committee structure and those Members who had served as individual chairs of committees. The first order of business that evening, Mr. President, was for the Committee on Public Health and Welfare to report out of committee the Children's Health Insurance Program, which I believe was House Bill No. 20. It was not done in a conference committee. It was done when the Majority party in the Senate was the Democratic Party. It passed that same particular evening, Mr. President, that I was elected President pro tempore.

The reason why we made it our top priority of business on that evening was because the chairman of the Committee on Public Health and Welfare, who is no longer a Member of this body but now serves as a Member of Congress, would not consider the bill for the better part of 1 year. So we took the CHIP program, which was something that had been advanced

by Governor Casey, funded by a 2-cent tax at that time, I believe, on cigarettes, and we adopted it that evening as the top priority, the number one priority we had when the Democratic Party took control of the Senate in November of 1992. The initial part of the program was not done in a conference committee but it was done by the Majority Members of this body, passed, and sent on to the Governor for his signature. So I believe it is important that the record is clear as to how the Children's Health Insurance Program first came into law some 6 years ago.

Thank you very much, Mr. President.

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

Senator LOEPER. Mr. President, just briefly in response to the gentleman, I was in error when I indicated it was a conference committee report. However, I would just refer anyone who is interested to the history of the bill, House Bill No. 20. When it was rereported out of our Committee on Appropriations on November 17 of 1992, at that point in time now Senator Kukovich, then Representative Kukovich, was one of the parties with whom I negotiated, along with Governor Casey, in order to come to a compromise on House Bill No. 20, and it was then after the takeover that it was finally considered here in the Senate.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, last Tuesday was the American Diabetes Association's Capitol Hill Day, and at that time the association visited the Capitol and visited with many Senators and House Members and they talked with various lawmakers about legislation, specifically the legislative process, and in particular House Bill No. 656.

House Bill No. 656, as we all know, Mr. President, is the bill that unanimously passed the State House more than 6 months ago. It is a bill that would require health insurance companies to pick up the costs of vital diabetic supplies, the equipment that diabetics use, and of course self-management health courses for people who are afflicted with this debilitating disease. It is a bill that would help diabetics take care of themselves and avoid more serious and deadly health problems, other complications, and ultimately save health care costs. It is also a bill that some of us in this Senate have been trying to finally pass since the beginning of the year. It is also a bill that has been sent back to the Committee on Rules and Executive Nominations and rereferred to the Health Care Cost Containment Council for an unnecessary study, which is aimed primarily, I believe, at delay.

Mr. President, if we had acted in this Senate in a responsible and timely manner on this commonsense piece of legislation, I doubt very much if there really would have been a need for the Diabetic Association's Capitol Hill Day last Tuesday and subsequently would have probably saved additional funds for many diabetics who paid their way to come down here and visit the various Senators and legislators.

Mr. President, I believe it is a shame that we need a politically active lobbying group to come here to Harrisburg to this

Capitol and run around the Capitol and twist arms before something as important as this piece of legislation gets done. It is a shame. It is a shame because when it comes to the common good and meeting the legislative needs of our people and enacting commonsense legislation, such as House Bill No. 656, those of us in the halls of this Capitol should not have to be persuaded by anyone to do what is right, because I firmly believe that that is why we were elected, Mr. President.

We should not be preparing to adjourn the Senate for the summer without any action on this bill. I know that we are in the waning days of the springtime of this Session, and what is going to happen is we are once again going to be going on an extended summer break, maybe not as long as the one we experienced when Governor Thornburgh was running for reelection, but nonetheless we will be getting out of here post-haste. I would say that the doctors and other health care providers who know about this business of diabetes and other health matters tell us that legislation such as this would save lives. It will save health care costs. So the question recurs, Mr. President, what are we waiting for in this Senate? We need to get this work done, and we need to get it done before we take a summer break.

As the prime sponsor of the Senate version of this legislation, I am certainly willing to sit down with either side to discuss this with any Member of the Senate so we can come to some conclusion as to how and what it takes to get this bill passed. I do not believe, Mr. President, there is any need whatsoever for continued inaction on this bill because, after all, there are 1.1 million Pennsylvanians who are afflicted with diabetes, and their families are waiting.

I think Dr. Wanda Filer, the State's former Physician General, who suggested that this proposed law was her number one priority before she resigned her position, said in her departing letter to us, she is still waiting. The hundreds of thousands of Pennsylvanians who recently read the Philadelphia Inquirer report on April 5, which describes this debilitating disease called diabetes in Pennsylvania as an epidemic, are still waiting.

Mr. President, it is time for Pennsylvania and this Senate to stop dragging its feet and realize that we are dealing with an illness of epidemic proportions and get to the business of getting this corrected and saving lives, saving feet, saving toes, saving legs, and saving some lives in the form of complicated kidney disease, and, of course, heart disease. It is time, Mr. President, that we save these thousands of people, save these thousands and maybe greater numbers than thousands of feet, toes, and legs.

Mr. President, 23 other States have already passed this bill, and I am urging this Senate that we do not go home for the summer without enacting this important bill. I think that most of the people in Pennsylvania are paying attention. I think they are waiting, and I think they are waiting patiently.

I thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I rise today to talk of a health care issue that impacts millions of the residents of our

Commonwealth and across this country. Last week we adopted Senate Resolution No. 195, and this resolution declared the month of May 1998 as Osteoporosis Prevention Month. In the resolution that we adopted, we stated that the purpose of Osteoporosis Prevention Month was to encourage the residents of this Commonwealth to gain a greater awareness of the prevention and treatment of osteoporosis.

It is my hope, Mr. President, with that resolution and the event that I held earlier today, the press conference with Members of the General Assembly as well as individuals who work with and treat individuals who suffer from osteoporosis, that it is events like that that will focus more attention on osteoporosis, that that attention will increase the public awareness and convince more people that the prevention and early diagnosis and treatment are key to reducing the prevalence and impact of this horrible disease. Creating greater awareness of the value of prevention among health care providers and the public will result in the reduction of the number of people suffering from this disease, as well as reducing the exorbitant long-term costs.

For of those of you unfamiliar with this issue, osteoporosis weakens bones and can eventually cause painful and debilitating injuries like broken hips and other fractures. More than 28 million Americans are threatened by this often debilitating disease. Four out of five osteoporosis victims are women, and I might add that it is a common misconception that osteoporosis is an affliction of the elderly. In fact, Mr. President, osteoporosis begins with people in their 30s and 40s.

Here are the facts: Osteoporosis testing enables doctors to detect this illness at an earlier stage when it is much easier to treat. Early detection and treatment can save lives and untold health care dollars that would otherwise be spent to care for bed-bound patients in the latter stages of this disease. Half of all women over age 50 will have an osteoporosis-related fracture sometime during their lifetime, and by age 75, one-third of all men are afflicted by this disease.

Mr. President, osteoporosis is oftentimes called the silent disease because bone loss occurs without symptoms. People often do not know they have the disease until a sudden strain, bump, or fall results in a fracture. While there is no cure for osteoporosis yet, there are treatments available that help stop further bone loss and fractures. Nationwide, hospitals and nursing homes spend about \$28 million per day treating osteoporosis and its related fractures.

To help spur preventive activity and also to increase public awareness on this very important issue, Mr. President, I introduced Senate Bill No. 1057, the Osteoporosis Early Detection Act, which would essentially require insurers to cover osteoporosis testing and treatment. In the Pennsylvania House of Representatives, Representative Lita Cohen introduced House Bill No. 135, which unanimously passed the House of Representatives and now currently awaits attention by the full Senate. House Bill No. 135 would establish an osteoporosis education program to be directed by the Department of Health.

As noted above, Mr. President, Senate Bill No. 1057 would require Pennsylvania health insurance policies to cover necessary bone mass measurement tests, which are the commonly accepted means for detecting osteoporosis. It is my belief, Mr.

President, and the belief of many of the medical experts who joined me earlier today, and these individuals who work with this debilitating disease on a regular basis, that early detection of osteoporosis is less costly than treating a fracture associated with the disease. It would save money, and more importantly, Mr. President, save countless people from the agonizing advanced stages of this horrible disease.

Mr. President, as part of the process relating to mandated benefits, the Pennsylvania Health Care Cost Containment Council had an opportunity to review Senate Bill No. 1057. Now, while the council did not endorse Senate Bill No. 1057, they clearly stated that the benefits of osteoporosis prevention and early detection on improved quality of life and future health care savings are indisputable. Further, the council stated that medical professionals and experts agree that the most effective way to deal with osteoporosis is to prevent it, and education, Mr. President, is an essential component.

To that end, Mr. President, as I mentioned earlier, a press conference was held to attempt to educate the public about some of the concerns related to osteoporosis. And as I mentioned earlier, joining me at that press conference were some of the experts who deal with this particular disease on a regular basis. Mr. President, I submit to you it is they, not the admittedly understaffed Pennsylvania Health Care Cost Containment Council, who have a firsthand view of not only the extraordinary toll that osteoporosis extracts on its victims but also the daily costs associated with treating an individual whose condition has reached the latter stages.

Mr. President, it is my belief that the legislation pending before this body, Senate Bill No. 1057 and House Bill No. 135, are extremely critical pieces of legislation that this body must and should act on as soon as possible. To that end I will continue to promote this legislation, along with Representative Cohen and all those individuals who joined me earlier this afternoon and the cosponsors of the respective pieces of legislation, and we will continue to work for the passage of this much needed legislation.

Mr. President, it is abundantly clear that the positive impact that this measure would have on the lives of thousands and thousands of Pennsylvania women and its elderly citizens is too crucial for us to be deterred by the flawed logic that I believe appears in the council's report. The time to act on this legislation, both pieces of legislation, is now. And as I mentioned earlier, as we observe Osteoporosis Month here in Pennsylvania and across our country, I urge my colleagues to join me in supporting this legislation, and I look forward to working with all of you toward that end.

Thank you, Mr. President.

BILL SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bill was signed by the President in the presence of the Senate:

SB 682.

REPORTS FROM COMMITTEE

Senator GERLACH, from the Committee on Local Government, reported the following bills:

SB 818 (Pr. No. 883)

An Act amending the act of May 25, 1945 (P.L.1050, No.394), entitled Local Tax Collection Law, further providing for notice of taxes; and making an editorial change.

HB 1173 (Pr. No. 3552) (Amended)

An Act creating a Uniform Construction Code; imposing powers and duties on municipalities and the Department of Labor and Industry; providing for enforcement; imposing penalties; and making repeals.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 818 and HB 1173.

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

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Recess adjournment.

RECESS

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

Senator LOEPER. Mr. President, at this time, rather than make an adjournment motion, I ask that we recess to the call of the President pro tempore, with the intention that there will be no further votes in today's Session. However, we wanted to keep our desk open to receive communications back from the House of Representatives.

Once we do finally adjourn today's Session, for the information of the Members, we will reconvene on Monday, June 1, 1998, at our normal convening time of 2 p.m.

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

The PRESIDING OFFICER. Senator Loeper requests a recess of the Senate to the call of the President pro tempore.

The Senate now stands in recess to the call of the President pro tempore.

AFTER RECESS

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

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

COMMUNICATION FROM THE GOVERNOR**APPROVAL OF SENATE BILL**

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

SB 669.

BILLS SIGNED

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

HB 9, HB 2098 and HB 2194.

RECESS

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

Senator **PICCOLA**. Mr. President, I request that the Senate now recess to the call of the President pro tempore.

The **PRESIDENT pro tempore**. It has been moved by Senator Piccola that the Senate do now recess to the call of the President pro tempore. The Senate stands in recess to the call of the President pro tempore.

AFTER RECESS

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

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

ADJOURNMENT

Senator **MOWERY**. Mr. President, I move that the Senate do now adjourn until Monday, June 1, 1998, at 2 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

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