

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, FEBRUARY 1, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 7

SENATE

MONDAY, February 1, 1999

The Senate met at 2 p.m., Eastern Standard Time.

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

PRAYER

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

Let us pray.

O gracious God, today as the Senators of this great Commonwealth gather to do the work of this State, may these men and women set their minds to the creative task of problem-solving, their hearts to the compassionate care of the disadvantaged, their eyes to the future needs of the people, and their hands to the opportunities of service to and with one another. Today and over the coming months, may they develop a stronger sensitivity to the will of the people, and a deeper resolve to work in bipartisan ways to overcome the obstacles that lie ahead. May they truly seek Your guidance in all they see, in all they do, in all they say, and in all they enact into law.

As these Senators gather here to do the awesome task of governing our State, may they together lift their hearts in prayers for the Senators of our nation and the difficult decisions that are before them regarding the impeachment process of our President. We especially ask Your guidance upon our Senators, Arlen Specter and Rick Santorum. As they and all the Senators find themselves in an awkward position in our history, may they be guided not by the media, not by the polls, not by partisanship, not even by their constituents, but by their conscience and their understanding of law. May you give them the insight and the wisdom of Solomon in resolving this conflict and embarrassment to our nation.

May the men and women in this room learn from their counterparts and may they never have the need to meet for similar purposes. May they and all our elected officials, from our Governor to township supervisors, understand their responsibility to serve the people includes living moral lives of integrity. May they know their election is not to special privilege but to special responsibility, including in their moral lives, both publicly and privately. This is the message of Moses and the prophets of old, the message of Jesus, the message of Mohammed. This is Your

message, that we all live lives of integrity with our hearts and minds in service to You and our neighbors. Help us to have the ears to hear and the desire to live according to Your will. Amen.

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of January 27, 1999.

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

COMMUNICATIONS FROM THE GOVERNOR

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
ATHLETIC COMMISSION

January 27, 1999

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, Charles P. Bednarik, 6379 Winding Road, Coopersburg 18036, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE
ATHLETIC COMMISSION

January 27, 1999

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, Andrew A. DePaolo, 107 Evandale Drive, Pittsburgh 15220, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA

January 27, 1999

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, Susan Snell Delaney, 122 Greenview Drive, Indiana 15701, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS,
WESTMORELAND COUNTY

January 27, 1999

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 K. Sweeney, Esquire, 27 Oakhill Avenue, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as Judge of the Court of Common Pleas of Westmoreland County, to serve until the first Monday of January 2000, vice The Honorable Bernard F. Scherer, deceased.

THOMAS J. RIDGE
Governor

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

January 27, 1999

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, LaWanda Bender-Goodwine (Democrat), 4846 Village Circle-East, North East 16428, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2000, and until her successor is appointed and qualified, vice Joseph E. Podolsky, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

January 27, 1999

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 M. Drew (Democrat), 262 East 31st Street, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

January 27, 1999

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, Mary L. Hayes (Democrat), 942 West 34th Street, Erie 16508, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2000, and until her successor is appointed and qualified, vice Agnes R. Priscaro, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

January 27, 1999

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, Leonard I. Jefferson (Democrat), 411 Colleen Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, add to complement.

THOMAS J. RIDGE
Governor

MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE

January 27, 1999

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, Namon McWilliams (Democrat),

2104 South Manor Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Dorothy Lochett, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE**

January 27, 1999

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, Catina R. Odom (Democrat), 1409 East 36th Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 1999, and until her successor is appointed and qualified, vice Melvin Witherspoon, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

January 28, 1999

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, Ann M. Benzel, 6 Sylvan Heights Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve for a term of three years and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

January 28, 1999

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, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice William R. Minnick, Harrisburg, resigned.

THOMAS J. RIDGE
Governor

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

January 28, 1999

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, Zachary I. Cattell, 220 South Walnut Street, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Jason B. Bazzone, Tobyhanna, whose term expired.

THOMAS J. RIDGE
Governor

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

January 28, 1999

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, Shelby A. Linton, 17 Windsor Court, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Lawrence J. Flint, Hallstead, whose term expired.

THOMAS J. RIDGE
Governor

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

January 28, 1999

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, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2002 and until his successor is appointed and qualified, vice Glenn Y. Forney, Shavertown, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

January 29, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph Harenza, Stevens & Lee, 111 N. 6th Street, P.O. Box 679, Reading 19603, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1999 and until his successor is appointed and qualified, vice Craig A. Stein, Ambler, resigned.

THOMAS J. RIDGE
Governor

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

January 29, 1999

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 H. Shacklett, P.O. Box 606, 1109 Sweetbriar Circle, Gwynedd 19437, Montgomery County, Twelfth Senatorial District, for reappointment as a Commonwealth Trustee of Temple University-of the Commonwealth System of Higher Education, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR RAPHAEL J. MUSTO
PRESENTED TO THE SENATE**

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

Senator MUSTO. Mr. President, it gives me great pleasure to introduce Mayor McGroarty and members of the official family of the city of Wilkes-Barre who are here with us today, and if my colleagues would give them a gracious welcome, I would certainly appreciate it.

The PRESIDENT. Would Mayor McGroarty and his guests from Wilkes-Barre please stand so that the Senate may extend to you its usual warm welcome.

(Applause.)

**1998 PIAA CLASS AA STATE SOCCER
CHAMPIONS PRESENTED TO THE SENATE**

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

Senator BRIGHTBILL. Mr. President, in the gallery this afternoon are the 1998 PIAA Class AA State Soccer Champions, the Elco Raiders. They defeated Quaker Valley High School in overtime by a score of 2-1 on November 20, 1998. It is Elco's first PIAA State Soccer Championship since 1986 and their fourth ever PIAA State Soccer Championship. We have 45 people here, including coach Mike Seigfried.

The PRESIDENT. Will Coach Seigfried and the champion Raiders please stand so the Senate may give you its usual warm welcome.

(Applause.)

COMMUNICATION FROM THE GOVERNOR

**CORRECTION TO NOMINATION
REFERRED TO COMMITTEE**

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

**COMMISSIONER OF THE PENNSYLVANIA
STATE POLICE**

January 28, 1999

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

Please note the nomination dated January 19, 1999 for the reappointment of Major Paul J. Evanko, 1131 Elizabeth Court, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as Commissioner of the Pennsylvania State Police, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified, should be corrected to read:

Colonel Paul J. Evanko, 1131 Elizabeth Court, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as Commissioner of the Pennsylvania State Police, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

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:

Joint Session.

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:

January 28, 1999

Senators CONTI, TOMLINSON, EARLL, BELL, MELLOW, LEMMOND, WAUGH, THOMPSON, WHITE, WOZNIAK, CORMAN and BRIGHTBILL presented to the Chair SB 231, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for retirement of justices, judges and justices of the peace.

Which was committed to the Committee on JUDICIARY,
January 28, 1999.

February 1, 1999

Senators O'PAKE, MELLOW, COSTA, STAPLETON, HART, KASUNIC, EARLL, SCHWARTZ and STOUT presented to the Chair **SB 194**, entitled:

An Act amending the act of June 26, 1931 (P.L.1379, No.348), entitled, as amended, Third Class County Assessment Board Law, providing for applicability of exemptions upon certain interim assessments.

Which was committed to the Committee on LOCAL GOVERNMENT, February 1, 1999.

Senators CONTI, BELL, COSTA, WHITE, WOZNAK, GERLACH, O'PAKE and RHOADES presented to the Chair **SB 233**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), entitled Pennsylvania Election Code, changing the day for general primaries and municipal primaries.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators PUNT, MUSTO, COSTA, SALVATORE, ARMSTRONG, WENGER, SLOCUM, CORMAN, ROBBINS, HART, WAUGH and RHOADES presented to the Chair **SB 238**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for the minimum amount of capital stock and franchise tax; and making editorial changes.

Which was committed to the Committee on FINANCE, February 1, 1999.

Senator HOLL presented to the Chair **SB 239**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting the use of voter registration lists for juror selection.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators KUKOVICH, PUNT, LAVALLE, BELAN, WAGNER, BOSCOLA, O'PAKE, KASUNIC, STAPLETON, MUSTO, COSTA, WHITE, EARLL, MELLOW, SCHWARTZ and RHOADES presented to the Chair **SB 240**, entitled:

An Act providing for a program to promote economic development in downtown areas; establishing the Discover Pennsylvania's Downtowns program; further providing for duties of the Department of Community and Economic Development; and making an appropriation.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, February 1, 1999.

Senators BELL, MADIGAN, LAVALLE, LOEPER, SLOCUM, FUMO, PUNT, MELLOW, TARTAGLIONE, MUSTO, BRIGHTBILL, BOSCOLA, KITCHEN, KUKOVICH, WOZNAK, SALVATORE, ROBBINS and HART presented to the Chair **SB 241**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, February 1, 1999.

Senators KASUNIC, HELFRICK, COSTA, MUSTO, O'PAKE and STAPLETON presented to the Chair **SB 242**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, requiring the establishment of a mandatory boater education program; and fixing additional fees.

Which was committed to the Committee on GAME AND FISHERIES, February 1, 1999.

Senators KASUNIC, MUSTO, MELLOW, BELAN, COSTA, STAPLETON, STOUT, WHITE and RHOADES presented to the Chair **SB 243**, entitled:

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.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 1999.

Senators KASUNIC, MELLOW, MUSTO, STAPLETON, SALVATORE, BELAN, COSTA, HART and RHOADES presented to the Chair **SB 244**, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), entitled, as amended, Dog Law, providing for civil liability arising out of attacks by dangerous dogs; and further providing for registration.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, February 1, 1999.

Senators KASUNIC, MELLOW, MUSTO, O'PAKE, STAPLETON, BODACK, BELAN, COSTA, KUKOVICH and STOUT presented to the Chair **SB 245**, entitled:

An Act providing for grants to persons for property damaged or destroyed by disasters; establishing the basis for the grants; creating the Disaster Relief Fund; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators KASUNIC, MELLOW, BODACK, MUSTO, O'PAKE, STAPLETON, BELAN, HART, COSTA, KUKOVICH, WAUGH and STOUT presented to the Chair **SB 246**, entitled:

An Act providing for grants to persons for property damaged or destroyed by disasters; establishing the basis for the grants; creating the Disaster Relief Fund; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators KASUNIC, COSTA, WAGNER, BELAN, O'PAKE and STAPLETON presented to the Chair **SB 247**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, establishing a graduated payment scale for certain taxpayers liable for corporate net income tax payments.

Which was committed to the Committee on FINANCE, February 1, 1999.

Senators KASUNIC, COSTA, WAGNER, BELAN, O'PAKE, STAPLETON, MUSTO, WAUGH, TOMLINSON and RHOADES presented to the Chair SB 248, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing a sales tax exemption for building materials used in construction activities in enterprise zones.

Which was committed to the Committee on FINANCE, February 1, 1999.

Senators KASUNIC, COSTA, WAGNER, BELAN, O'PAKE, STAPLETON, MUSTO and RHOADES presented to the Chair SB 249, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing for a job retention tax credit.

Which was committed to the Committee on FINANCE, February 1, 1999.

Senators KASUNIC, COSTA, STAPLETON, BELAN, PICCOLA, MELLOW and STOUT presented to the Chair SB 251, entitled:

An Act amending the act of December 19, 1984 (P.L.1093, No.219), entitled Noncoal Surface Mining Conservation and Reclamation Act, further providing for mining permits.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 1999.

Senators KASUNIC, COSTA, BODACK, O'PAKE, STAPLETON and RHOADES presented to the Chair SB 252, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), entitled Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for restrictions on certain wastes and out-of-State wastes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 1999.

Senators KASUNIC, BELAN, TARTAGLIONE, BELL, BODACK, MUSTO, O'PAKE, COSTA, KUKOVICH, STAPLETON, MELLOW and STOUT presented to the Chair SB 253, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), entitled, as reenacted and amended, Workers' Compensation Act, providing for cost-of-living increases in the amount of compensation payable.

Which was committed to the Committee on LABOR AND INDUSTRY, February 1, 1999.

Senators KASUNIC, O'PAKE, COSTA, HART, BELAN, MUSTO, STAPLETON and STOUT presented to the Chair SB 254, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for simple assault.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators WAGNER, STOUT, WOZNIAK, COSTA and STAPLETON presented to the Chair SB 258, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), entitled Pennsylvania Election Code, further providing for the date of the general primary in years in which the President of the United States is nominated.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators BOSCOLA, BELAN, WAGNER, COSTA, KUKOVICH, O'PAKE, STAPLETON, MUSTO, STOUT, SLOCUM and RHOADES presented to the Chair SB 259, entitled:

An Act allowing senior citizens to claim an exemption from tax increases as to certain real property.

Which was committed to the Committee on FINANCE, February 1, 1999.

Senators BOSCOLA, MELLOW, BELL, MUSTO, KASUNIC, PUNT, COSTA AND SLOCUM presented to the Chair SB 260, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of disarming a law enforcement officer, and providing a penalty.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators HART, WENGER, SLOCUM, CORMAN and WAUGH presented to the Chair SB 261, entitled:

An Act creating additional protections and safeguards for students and their families in connection with the release of records and information, the collection of information and the providing of health care services, and providing for compliance procedures and remedies.

Which was committed to the Committee on EDUCATION, February 1, 1999.

Senators HART, BELL, SALVATORE, WENGER, MOWERY, WHITE, WAUGH, TOMLINSON, SLOCUM, THOMPSON, DENT, GERLACH, ROBBINS, CORMAN, RHOADES, MUSTO, KASUNIC, COSTA and BOSCOLA presented to the Chair SB 262, entitled:

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

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators HART, MELLOW, WAUGH, TOMLINSON, COSTA, HOLL and BOSCOLA presented to the Chair SB 263, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, regulating

suspension and revocation of operating privileges for driving under the influence of alcohol or controlled substances; and further providing for loss of property rights to the Commonwealth and for penalties.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators HART, WHITE, EARLL, BELL, TOMLINSON, CORMAN, RHOADES, THOMPSON, WAUGH, WOZNIAK, KUKOVICH, ARMSTRONG, MUSTO, SLOCUM, COSTA, KASUNIC and BOSCOLA presented to the Chair **SB 264**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the definition of "local agency" for purposes of governmental immunity.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators KUKOVICH, HELFRICK, WAGNER, BELAN, LAVALLE, BELL, COSTA, STAPLETON, MUSTO, TARTAGLIONE, KASUNIC, CONTI, MELLOW, HUGHES, O'PAKE, WAUGH, SCHWARTZ, STOUT and RHOADES presented to the Chair **SB 266**, entitled:

An Act providing for the establishment, implementation and administration of a Head Start Supplemental Assistance Program.

Which was committed to the Committee on EDUCATION, February 1, 1999.

Senators KUKOVICH, COSTA, BELL, WAGNER, BELAN, LAVALLE, STAPLETON, MUSTO, TARTAGLIONE, KASUNIC, MELLOW, HUGHES, O'PAKE, SCHWARTZ, STOUT, CORMAN, BOSCOLA and RHOADES presented to the Chair **SB 267**, entitled:

An Act providing for a loan program for local police agencies funded by a bond issuance; establishing the Police Agency Loan Division in the Pennsylvania Emergency Management Agency; and conferring powers and duties on the Secretary of the Commonwealth and the Legislative Reference Bureau.

Which was committed to the Committee on LOCAL GOVERNMENT, February 1, 1999.

Senators KUKOVICH, BELL, WAGNER, COSTA, STAPLETON, MUSTO, KASUNIC, MELLOW, O'PAKE, SCHWARTZ, STOUT, BOSCOLA and RHOADES presented to the Chair **SB 268**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further defining "delinquent act"; adding definitions for "extended jurisdiction juvenile offender" and "extended jurisdiction juvenile prison"; and providing for extended jurisdiction juvenile offenders.

Which was committed to the Committee on JUDICIARY, February 1, 1999.

Senators KUKOVICH, HELFRICK, WAGNER, BELAN, LAVALLE, BELL, COSTA, STAPLETON, MUSTO, TARTAGLIONE, KASUNIC, EARLL, CONTI, MELLOW,

HUGHES, O'PAKE, WAUGH, SCHWARTZ, STOUT and RHOADES presented to the Chair **SB 269**, entitled:

An Act to provide an appropriation from the General Fund to the Department of Health for the fiscal year July 1, 1999, to June 30, 2000, for the Special Supplemental Food Service Program for Women, Infants and Children.

Which was committed to the Committee on APPROPRIATIONS, February 1, 1999.

Senators THOMPSON, HELFRICK, GERLACH, BELAN, ARMSTRONG, KASUNIC, ROBBINS, WHITE and BRIGHTBILL presented to the Chair **SB 271**, entitled:

An Act selecting, designating and adopting the chocolate chip cookie as the official cookie of the Commonwealth of Pennsylvania.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators THOMPSON, WAGNER, JUBELIRER, FUMO, STAPLETON, ROBBINS, CONTI, TARTAGLIONE, GERLACH, SALVATORE, COSTA, ARMSTRONG, TOMLINSON, BELL, GREENLEAF, SLOCUM, LEMMOND, WHITE, BOSCOLA, BELAN and RHOADES presented to the Chair **SB 272**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, further providing for the Pennsylvania State Police.

Which was committed to the Committee on LAW AND JUSTICE, February 1, 1999.

Senator HOLL presented to the Chair **SB 274**, entitled:
An Act providing for publication of Auditor General audit reports.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators RHOADES, BELL, COSTA, FUMO, TOMLINSON and WHITE presented to the Chair **SB 275**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), entitled Solicitation of Funds for Charitable Purposes Act, further providing for registration fees and late filing fees.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators RHOADES, BELL, O'PAKE and WOZNIAK presented to the Chair **SB 276**, entitled:

An Act providing for the Office of State Inspector General and for the powers and duties of the office.

Which was committed to the Committee on STATE GOVERNMENT, February 1, 1999.

Senators RHOADES, TOMLINSON, TILGHMAN, WAGNER, COSTA, MUSTO, STAPLETON, SALVATORE, BODACK, MELLOW, TARTAGLIONE, KASUNIC, HOLL,

O'PAKE, SCHWARTZ, STOUT and BOSCOLA presented to the Chair **SB 277**, entitled:

An Act relating to the delivery of services and programs to persons with disabilities; conferring powers and duties on the Department of Public Welfare and the Statewide Independent Living Council; establishing an office of disability services; providing for powers and duties of regional agencies; and providing for funding of disability services programs.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 1, 1999.

Senators RHOADES, COSTA and STOUT presented to the Chair **SB 278**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for decals on registered snowmobiles and all-terrain vehicles.

Which was committed to the Committee on TRANSPORTATION, February 1, 1999.

Senators RHOADES, ARMSTRONG, BELAN, BRIGHTBILL, COSTA, FUMO, KASUNIC, LAVALLE, LEMMOND, O'PAKE, ROBBINS, SALVATORE, STAPLETON, TILGHMAN, TOMLINSON, WAGNER and BOSCOLA presented to the Chair **SB 279**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a registration plate for members of AMVETS.

Which was committed to the Committee on TRANSPORTATION, February 1, 1999.

Senators RHOADES, BELL, DENT, SLOCUM, STAPLETON, HELFRICK, BODACK, BELAN, WAGNER, TARTAGLIONE, COSTA, TOMLINSON, KASUNIC, O'PAKE, WAUGH, WHITE, WOZNIAC, MELLOW and BRIGHTBILL presented to the Chair **SB 280**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), entitled State Lottery Law, further defining "income" for pharmaceutical assistance to exclude certain veteran disability payments.

Which was committed to the Committee on AGING AND YOUTH, February 1, 1999.

GENERAL COMMUNICATIONS

ANNUAL AUDIT OF THE HEALTH CARE COST CONTAINMENT COUNCIL

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

PENNSYLVANIA HEALTH CARE
COST CONTAINMENT COUNCIL
Suite 400, 225 Market Street
Harrisburg, PA 17101

MEMO TO: The Honorable Robert C. Jubelirer
President Pro Tempore

FROM: MARC P. VOLAVKA, Executive Director
PA Health Care Cost Containment Council

DATE: January 28, 1999

SUBJECT: Copy of Fiscal Year Audit Report

According to Section 17.1, under Act 34, which is the legislation that amended Act 89 and continued the Pennsylvania Health Care Cost Containment Council, financial information is to be provided to the Appropriations Committees in both the House and the Senate. In this regard, I am pleased to provide you with a copy of a report reflecting the results of an independent audit for fiscal year 1997/1998, which was conducted by the accounting firm of McKOnly & Asbury.

This audit report clearly reflects the fact that the Council has continued to operate efficiently and prudently based on suggestions offered by the Legislature previously.

I would be more than happy to answer any questions you may have in regard to this material or provide you with additional financial information relative to the Council's operation.

The PRESIDENT. This report will be filed in the library.

AUDIT REPORT OF THE TUITION ACCOUNT PROGRAM

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

Department of the Auditor General
COMMONWEALTH OF PENNSYLVANIA
Harrisburg, Pennsylvania 17120-0018

January 27, 1999

The Honorable Robert C. Jubelirer
President Pro Tempore
The Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, PA 17120

Dear Senator Jubelirer:

We are pleased to submit our audit report of the Treasury Department's Tuition Account Program for the fiscal year ended June 30, 1998.

Sincerely,

ROBERT P. CASEY, JR.
Auditor General

The PRESIDENT. This report will be filed in the Library.

ENTERPRISE DEVELOPMENT PROGRAM IMPACT REPORT

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

PUGLIESE ASSOCIATES
Public Affairs Consultants
The Mary Sachs Building
208 North Third Street, Suite 410
Harrisburg, Pennsylvania 17101

January 27, 1999

The Honorable Robert C. Jubelirer
PA Senate
292 Main Capitol Building
Senate Box 203030
Harrisburg, PA 17120-3030

Dear Senator Jubelirer:

Enclosed for your review, please find a copy of the recently published Enterprise Development Program Impact Report for fiscal year 1997-98, as prepared by the Local Development District Association of Pennsylvania (LDDAP). The report contains activities by the seven Local Development Districts that constitute the LDDAP.

The data is provided to specifically inform you of the ways in which state appropriated funds have been used to benefit business attraction, expansion and retention efforts in the Commonwealth.

After you have had the opportunity to read this report, should you have any questions, or desire any additional information, please do not hesitate to contact my office.

Sincerely,

ROCCO PUGLIESE

The PRESIDENT. This report will be filed in the Library.

STATE HEALTH CENTERS DEMONSTRATION PROJECT REPORT

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

COMMONWEALTH OF PENNSYLVANIA
Department of Health
Post Office Box 90
Harrisburg, PA 17108

February 1, 1999

Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

I am writing to update you on the status of our State Health Centers Demonstration project. While the Department had expected to deliver the report on the demonstration project by the end of December, unexpected delays in the collection and validation of the data have necessarily postponed the ability to complete the report. At this juncture our expectation is to receive the report and forward it to the General Assembly by April 30, 1999.

Should you have any further questions regarding this subject, please feel free to contact Kim Sokoloski at 783-3985. Thank you for your continued interest in this project.

Sincerely,

GARY L. GURIAN
Acting Secretary of Health

APPOINTMENTS BY PRESIDENT PRO TEMPORE

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

Senator Jake Corman as a member of the Joint Legislative Air and Water Pollution Control and Conservation Committee.

Senator Charles W. Dent as a member of the Ben Franklin/IRC Partnership.

Senator Jane M. Earll as a member of the Pennsylvania Commission on Crime and Delinquency, and the Advisory Council for the Pennsylvania Soldiers' and Sailors' Home.

Senator Melissa A. Hart as a member of the Advisory Council for the Southwestern Pennsylvania Veterans' Center.

Senator Edwin G. Holl as a member of the Council on the Arts, and the State Planning Board.

Senator Robert J. Mellow as a member of the Advisory Council for the Northeastern Veterans Home.

Senator J. Barry Stout as a member of the Local Government Commission.

Senator Richard A. Tilghman as a member of the Advisory Council for the Southeastern Veterans Center.

Senator Noah W. Wenger as a member of the Legislative Audit Advisory Commission.

Senator Mary Jo White as a member of the Board of Directors of the Center for Rural Pennsylvania.

Mr. Robert A. Gleason, Jr., as a member of the Board of Trustees of the University of Pennsylvania.

Lewis H. Gold, Esquire, to the Board of Trustees of the Philadelphia College of Osteopathic Medicine.

Ms. Norma C. Ickes as a member of the Local Government Advisory Committee.

Mr. Jay Muir as a member of the Legislative Audit Advisory Commission.

William L. Saad, O.D., to the Board of Trustees of the Pennsylvania College of Optometry.

Sue A. Thompson, Ph.D., as a member of the Conservation and Natural Resources Advisory Council.

Mr. Steve Wineland as a member of the Fire Safety Advisory Committee.

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Hughes and Senator Fumo.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Hughes and Senator Fumo. Without objection, those leaves are granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

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

In the Senate, February 1, 1999

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 8, 1999, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, February 8, 1999, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR MELISSA A. HART
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Hart.

Senator HART. Mr. President, I would like to introduce someone from my district who is visiting us here today in the Senate and actually visiting the whole Capitol. The gentleman is a Bradford Woods Borough councilman. He is an attorney, a member of the Allegheny County bar, and is also with the firm of Houston Harbaugh, where my good friend Mike Fisher used to be a lawyer. I would like the Senate to welcome my friend Mike Turzai from Bradford Woods.

The PRESIDENT. Would our special guest please rise so that the Senate may give you a warm welcome.

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

**BILL ON FINAL PASSAGE
OVER IN ORDER TEMPORARILY**

SB 255 (Pr. No. 229) -- 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 purchase, consumption, possession or transportation of liquor or malt or brewed beverages by minors.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator LOEPER. Mr. President, I withdraw my request for consideration of Senate Bill No. 255 until we have an opportunity to caucus on the bill.

The PRESIDENT. Would the gentleman prefer that it go over temporarily?

Senator LOEPER. Yes, Mr. President, if we could put the bill over temporarily.

The PRESIDENT. Senate Bill No. 255 will go over in its order temporarily on final passage.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

SB 127 (Pr. No. 121) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1981 (P.L.214, No.67), entitled Bingo Law, further defining "bona fide member."

Considered the second time and agreed to,

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

BILL REREFERRED

SB 144 (Pr. No. 139) -- The Senate proceeded to consideration of the bill, entitled:

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

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

RECESS

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

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

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

Senator MELLOW. Mr. President, I also request that the Members of the Democratic Caucus report to our caucus room at the rear of the Chamber.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately following this announcement, with the intention to return around 3:30 p.m., the Senate stands in recess.

AFTER RECESS

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

THIRD CONSIDERATION CALENDAR RESUMED

SB 255 CALLED UP

SB 255 (Pr. No. 229) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator LOEPER.

BILL ON FINAL PASSAGE

SB 255 (Pr. No. 229) -- 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 purchase, consumption, possession or transportation of liquor or malt or brewed beverages by minors.

On the question,
Shall the bill pass finally?

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

Senator ARMSTRONG. Mr. President, on Senate Bill No. 255, I do have reservations about the bill. All in all, I think this bill is a very good bill. However, the purpose of this bill is used to accommodate the gambling industry. The purpose of this bill is to have a bill brought out quickly so it can be sent over to the House afterwards, amend it, put all the gambling amendments in, and have it sent back to us so it can be on the May primary ballot. I do not know what is so urgent about having this bill done so quickly to accommodate the gambling industry to put this on the May primary ballot. I think on something this important we should have a little more discussion. Unfortunately, this bill is being used as a vehicle.

Thank you, Mr. President.

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-49

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

NAY-0

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

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 273 (Pr. No. 240) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L. 723, No.230), entitled, as amended, Second Class County Code, further providing for charter transitions and for charter provision expiration.

On the question,

Will the Senate agree to the bill on second consideration?

Senator LOEPER, on behalf of Senator MURPHY, offered the following amendment No. A0161:

Amend Title, page 1, lines 4 and 5, by striking out "further providing for" in line 4, all of line 5 and inserting: providing for nomination petitions for the office of district county council member in certain counties of the second class; and making a repeal.

Amend Sec. 1 (Sec. 3111-C), page 2, line 6, by striking out "912.1" and inserting: 912.1(35)

Amend Sec. 1 (Sec. 3111-C), page 2, line 8, by inserting after "the": minimum

Amend Sec. 1 (Sec. 3111-C), page 2, line 8, by inserting after "of": valid

Amend Sec. 1 (Sec. 3111-C), page 2, line 8, by inserting after "signatures": of registered and enrolled members of the proper political party

Amend Bill, page 2, by inserting between lines 15 and 16:

Section 2. The provisions of this act shall be construed in conjunction with the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, and shall be read in pari materia with the Pennsylvania Election Code.

Section 3. Section 912.1 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, is repealed to the extent that it is inconsistent with this act.

Amend Sec. 2, page 2, line 16, by striking out "2" and inserting:

4

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,
Will the Senate agree to the bill on second consideration, as amended?

Senator LOEPER, on behalf of Senator MURPHY, offered the following amendment No. A0169:

Amend Title, page 1, line 5, by removing the period after "expiration" and inserting: ; and making a repeal.

Amend Sec. 1 (Sec. 3111-C), page 2, line 6, by inserting after "(d)": (1)

Amend Sec. 1 (Sec. 3111-C), page 2, by inserting between lines 10 and 11:

(2) Notwithstanding the provisions of section 913 of the "Pennsylvania Election Code," the filing fee required for acceptance of nomination petitions for the office of district county council member in counties of the second class shall be twenty dollars.

Amend Bill, page 2, by inserting between lines 15 and 16:

Section 2. Section 913 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, is repealed to the extent that it is inconsistent with this act.

Amend Sec. 2, page 2, line 16, by striking out "2" and inserting:
3

On the question,
Will the Senate agree to the amendment?
It was agreed to

And the question recurring,
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

SENATE RESOLUTION No. 6, AMENDED AND ADOPTED

Senator LOEPER, without objection, called up from page 2 of the Calendar, Senate Resolution No. 6, entitled:

A Resolution reauthorizing the Senate Special Committee on Interscholastic Athletics to ensure that the organization of interscholastic athletics in the Commonwealth is in the best interests of Pennsylvania's student athletes and citizens by monitoring the Pennsylvania Interscholastic Athletic Association as the Association implements the recommendations contained in the Special Committee's final report.

On the question,
Will the Senate adopt the resolution?

Senator RHOADES, on behalf of himself, Senator MELLOW and Senator PICCOLA, offered the following amendment No. A0069:

Amend Resolution, page 3, by inserting between lines 3 and 4:

WHEREAS, The Senate Special Committee on Interscholastic Athletics believes that the recommendations contained in the Special Committee's report of November 30, 1998, should be implemented by the Pennsylvania Interscholastic Athletic Association as quickly as possible; and

Amend Second Resolve Clause, page 3, lines 23 through 26, by striking out all of said lines

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The temporary Capitol leaves of Senator Fumo and Senator Hughes are cancelled.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate adopt the resolution, as amended?

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

Senator RHOADES. Mr. President, on the resolution, in 1998 I had the privilege to serve as chairman of the Senate Special Committee on Pennsylvania Interscholastic Athletics. Actually in 1988 and 1992 I served as chairman of similar committees. Today I have the responsibility to ask that the Senate authorize the special committee to complete its work in this new legislative Session.

For 9 months last year, Republican and Democratic Members of this special committee worked together in one of the finest examples of bipartisan collaboration I have seen during my tenure in this Senate. For 9 months we worked to fulfill the duty given to us by the Senate to conduct an indepth investigation of the Pennsylvania Interscholastic Athletic Association, to detail our findings, and to submit a report of our recommendations for change. The special committee took this duty as seriously as Pennsylvanians take the conduct of interscholastic sports in this Commonwealth. And we did so with one clear objective: to make interscholastic athletics in Pennsylvania the very best that they can be.

Today I can report on our work by saying that the investigation we undertook was detailed and exhaustive. The facts we uncovered showed a troubled organization in need of reform, and the 18 recommendations we submitted in our final report are absolutely essential if the PIAA is to fulfill its mission of service to Pennsylvania's student athletes and its duty of conducting quality interscholastic competitions. The special committee took a detailed and methodical approach to its investigation. We held 7 public hearings across Pennsylvania during which we called 57 witnesses and collected over 1,100 pages of testimony. We examined the PIAA's internal workings by combing through 8,338 pages of documents. We conducted a thorough review of the PIAA's financial and management practices by hiring an objective, internationally recognized auditing firm, PricewaterhouseCoopers, and they submitted a 200-page report on the subject.

We held a wide-ranging discussion with the 80 members of our 8 advisory committees, people who were committed, or shall we say committed Pennsylvanians, who made a total of 79 recommendations for change at the PIAA. These committees consisted of members of the boards of education, superintendents,

principals, athletic directors, coaches, officials, members of the media, and fans and boosters. And believe me, in that one day they made one heck of a substantial change in terms of recommendations they made.

After a detailed analysis of the vast body of factual knowledge, the special committee concluded that the PIAA needed to reform itself in five essential areas.

Number one, openness. The PIAA failed to provide for public access to its decision-making processes, failed to use competitive mechanisms for awarding of bids, and denied Pennsylvania communities access to athletic competitions by making the costs of broadcasting these events prohibitive.

Oversight. The PIAA does not represent parents, coaches, officials, and others with an interest in interscholastic sports. It allows its executive staff to operate with little supervision and provides the public with no meaningful information on its financial practices.

Due process. The PIAA does not provide basic due process rights to students and others who take part in the appeals of decisions on eligibility, medical exceptions, and transfers. And it stifles appeals by forcing a member school that sues the PIAA and loses to pay the PIAA's legal costs.

Under operations, the PIAA has allowed itself to engage in financial and management practices that result in the submission of inappropriate expenses, the maintenance of incomplete records, and the payment of PIAA funds that could be in violation of State and Federal law.

On their eligibility rules, the PIAA rules have been criticized as unfair and unenforceable, such that a full review is necessary.

Finally, the special committee took its facts and its conclusions and submitted a 400-page report which contained 18 specific recommendations for change at the PIAA, recommendations that would provide detailed guidance to the PIAA as it engages in true reforms. Actually, the report recommended 19 recommendations. The 19th recommendation is this resolution, that this special committee continue itself on to serve as oversight over the PIAA to ensure that these recommendations are implemented.

The challenges for 1999. In 1998 my colleagues on the special committee carried out their duty with a sense of high responsibility. We finished our work. I would like to recognize those Members because it meant in a very short period of time doing a great amount of work: Senator Robert Jubelirer, Senator Bob Mellow, Senator Jay Costa, Jr., Senator James W. Gerlach, Senator Gerald J. LaValle, Senator Michael A. O'Pake, Senator Robert D. Robbins, Senator William L. Slocum, and Senator Robert M. Tomlinson. I appreciate all the work they did, the commitment they made, and what they put into our final report because I think it was very necessary, but it is also a very comprehensive report.

But today I must report that we have a continuing task ahead in 1999, a continuing responsibility, because it is our responsibility to make the PIAA the very best organization that it can be. We cannot rest until all of the special committee's recommendations are implemented. We cannot rest until we can be certain that the PIAA is as committed to reform as we are. Senate Resolution No. 6 would give the special committee the authority to

undertake this new mission, the authority to monitor the PIAA as it implements the 18 recommendations, the authority to report on the extent of the PIAA's compliance, and the authority to identify any noncompliance so that this Senate can forge legislative solutions. In short, the Senate's adoption of this resolution will send an unmistakable message: Change is coming to the PIAA. And if the PIAA fails to change, the General Assembly must act.

Allow me to conclude by saying that I am optimistic about the future of the PIAA. Although the special committee's factual findings paint a bleak picture of an organization in disarray, our investigation has compelled the PIAA leaders to adopt an attitude that is conducive to change. Our investigation made it clear that change is necessary at the PIAA, and the presentation of our overwhelming body of facts seems to have convinced the PIAA that the reforms of the special committee and what we seek are essential to the organization's continued existence.

I am pleased to report that the PIAA's Board of Control has already taken decisive steps to act on the special committee's recommendations. Certainly this is a development that we all welcome. However, even with this changed attitude, it is important to remember that the PIAA's long history of promises made and broken requires the Senate to be vigilant.

And let me add, I did one of these hearings in 1988 and another one in 1992. Things were fine for a year, a year and a half later, and then we were back to the same old routine again. It is imperative that we reestablish this committee to ensure that the PIAA has oversight. We need to monitor this organization to ensure that the PIAA's promises take it down the road to reform, a road for which the special committee has laid a strong foundation. I believe that I speak for all of my special committee colleagues when I say that we stand ready to see that the job gets done. I ask your support for Senate Resolution No. 6.

Before I conclude, too, I think it is extremely necessary that the staffs who represented all of the Members on the committee and worked so hard be recognized because without their hard work, without their planning and being able to bring this together, a lot of the good things that we did would not be so. Dave Broderic, who is my administrative assistant, was executive assistant to me through this whole project, and I must say this, David did an exemplary job. He was the point man who brought this all together. Just imagine how difficult that is, to get 10 Senators together from different sides of the aisle, at the same time keep it functioning, acquire this information, and continue to do these things. David did a super, super job.

To J. Andrew Crompton, counsel to the President pro tempore; Neil E. Cashman, Jr., executive director of the Senate Democratic Policy Office—Neil has no relationship to the executive director of the PIAA; Mark W. Mekilo, assistant counsel to the Democratic Leader; K. Lee Derr, director of the Senate Republican Policy Development and Research Office; Michael F. Mills, deputy director, Senate Republican Policy Development and Research Office; Lena Z. Weyhenmeyer, associate policy director, Senate Republican Policy Development and Research Office; Lisa Felix, Esquire, executive assistant, Senate Democratic Policy Office; Ron Powlus, executive assistant, Senate Democratic Policy Office; Cherie Klinger, research analyst,

Republican Policy Development and Research Office; James Miller, research analyst; and Mark Snoberger, research analyst, Republican Policy Development and Research Office. To them, on behalf of myself and the committee, I want to say thank you for all they put into it.

To my colleagues whom I mentioned before, for what you have done, and I ask all of my colleagues now, please pass Senate Resolution No. 6 so we can continue on with the work we have established.

Thank you, Mr. President.

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

Senator BELL. Mr. President, I was not a Member of this committee but I watched carefully, and this select committee and its staff have done an outstanding job for the people of Pennsylvania. On behalf of the quarter-million people I represent, thank you.

There is one thing you did not do. This organization has the power of life and death over the high school athletics of our public school system, and if this PIAA does not shape up, I would suggest you consider making the PIAA a board or commission of the Commonwealth of Pennsylvania, assigned to the Department of Education, and then they surely will shape up.

Thank you.

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

The PRESIDENT pro tempore. Mr. President, I just congratulated Senator Rhoades on his excellent, very profound remarks, and I want to take this opportunity to salute his leadership. Jim Rhoades has been more than just a chairman of a select Senate committee. He has been the glue that has kept us all together, and I tell you, having spent all the many months that we did on a bipartisan basis working on this committee, Senator Rhoades was most fair and open and willing to listen to the Members of the committee as he shepherded these very difficult hearings through the year.

And anybody who watched them on PCN or read about them in the paper, I know that the Members of the committee have gotten great feedback. When I appointed that committee, I thought it was an excellent committee, and frankly, I learned a great deal. I have to tell you, people like Bob Mellow and Jim Rhoades and Bob Robbins know more about high school athletics than I could ever know in a lifetime, but I learned from them. They worked hard with the rest of the committee, and I just cannot tell you how important it was to the student athlete and the parents of the student athletes of Pennsylvania that this committee worked in the forum that it did. It was open, it was there for all to see, and anybody could judge.

As we look at the recent developments, particularly of this weekend, this committee has been validated. The work of this committee has been clearly recognized. And for those who suggested that this was a political witch hunt, that this was just Jubelirer trying to get even with Hershey for losing the high school championship games, I think clearly on those 18 to 0 votes that the Board of Control has had and the executive committee has had in these last several weeks, it validates everything we said, that there was a major undertaking to try to bring

back high school athletics to those who deserve it, and that is the student athlete, the parents, the coaches, the athletic directors, all who have lost this, and I think in many of our judgments because of the absolutely dictatorial conduct of the executive director and his staff. That arrogance and the manner in which they conducted themselves and held themselves up as the PIAA created the atmosphere under which this committee had to work.

Mr. President, I have never been prouder of a committee and have never been prouder to work with a group of people who spent an awful lot of hours and took an awful lot of criticism, yet tenaciously held in there for the benefit of the good of the young people who wish to partake in high school athletics. I support Senator Rhoades' request that we pass this resolution because, in essence, as Senator Bell said, if indeed we are not able to bring this back, we have seen some good beginnings, and I need to say that, I have seen some good beginnings and I am hopeful that the good intentions that are coming out of those meetings in Mechanicsburg will be borne out.

I also have some skepticism that I hope will go away at some point, but I believe it is very, very important for this very special Senate committee, this task force, to continue to be impaneled to do its work, and frankly, if we are disappointed that this is nothing more than lip service, then Senator Bell is right, we have to take further action. Again, Mr. President, I urge the Members to support this. I again appreciate the tremendous bipartisan effort of this committee. I think it has been one of the most remarkable experiences that I have had in my years in State government.

Thank you, Mr. President.

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

Senator ROBBINS. Mr. President, I would like to reinforce the words of Senator Rhoades and Senator Jubelirer, and I think it is important for us today to send a message to the Board of Control that in fact there are people in the Senate of Pennsylvania who are extremely concerned about this issue, and this is not a single-event issue. This is an issue, I know in my own career dealing with the Pennsylvania Interscholastic Athletic Association, and I can gather up newspaper clippings of complaints all the way back to 1959 when I was a competitor, and I can relate events during the 1970s when I was a coach and a teacher, and I can relate right up through this summer when for the first time, walking in parades, I actually had people run out of the crowd and grab me, sharing a story about the PIAA. And that happened, if it happened once, it happened a hundred times. It has been quite amazing. Also, the number of people who were afraid to say anything.

So I think the message that is being sent today and passed on to the Board of Control and to Pennsylvanians out there is that the PIAA had better change, they had better listen, and the fact is there are people here who are concerned about the student athletes of Pennsylvania, and we are going to be watching and we will be back if necessary. And there are lots of options out there, and I think Senator Bell even shared one of them with us.

So again, Mr. President, I want to thank you, I want to thank Senator Rhoades, Senator Jubelirer, and Senator Mellow for in

fact forming the task force and getting us to where we are today, and I am very pleased. I would only share that the Board of Control is moving forward, but I think the message being sent to them is that we are not going to go away and they had better continue that positive movement.

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

Senator GERLACH. Mr. President, I also rise in support of this resolution, and I just wanted to take a moment to point out and express my gratitude and support for the good work that our chairman, Senator Rhoades, did. He and his staff, with a very tight timetable to do a comprehensive and thorough review of this issue and this organization, really did an excellent job in bringing all those not only from within the legislature but also from outside in high school athletics, those who are the stakeholders in this whole process, to really come together and define some important steps that can be taken to positively improve interscholastic athletics in Pennsylvania.

When you team Senator Rhoades' efforts with Senator Mellow and Senator Jubelirer and their staffs, together with all the work put in by the other committee Members, I think an excellent product was the result of our work. There is still some more to do under this resolution, but I just want to take a moment to acknowledge the great work that Senator Rhoades and his staff put in on this.

Thank you.

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

Senator MELLOW. Mr. President, just very briefly, there have been a lot of very important things said on the floor of this Senate over the last 10 minutes on the issue regarding the PIAA. I also would like to say that I think the committee has done an outstanding job to this point. Senator Rhoades has been an excellent chairperson to handle the direction of the committee. I have tremendously enjoyed working with Senator Jubelirer and my colleagues on both sides of the aisle on this particular issue. It only goes to show what we can do when we work together in a unified effort. There is no issue we cannot conquer when this Senate can put its political differences aside and work for the best interests of the people we have been elected to serve, and in this particular resolution we have been able to demonstrate that.

I believe if the PIAA believes for one moment that this investigation is over, that it has been concluded, they are making a tremendous mistake. I am just happy to say that I was able to play a small part in that, along with Members on both sides of the aisle, to try to bring to the forefront and bring to the focus so that people understand that the student athlete in Pennsylvania has been shortchanged by the PIAA for too many years. We now recognize that completely. We are not going to tolerate it. We will not continue to allow it to happen.

I say the best thing we can do is to consider the resolution and pass the resolution so that once again we can reconstitute our work, hold our various meetings that we want to hold, and do the job that we have been elected to do, and in this particular case to aid the student athlete in Pennsylvania.

Thank you very much.

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

Senator COSTA. Mr. President, I, too, want to rise and compliment my colleagues on the fine job that they did throughout the PIAA investigation. Mr. President, as I was listening to the debate, or the discussion I should say, we failed to mention that during this process Senator Rhoades convened a number of stakeholders, those who are advisory committee members, and one of the hearings we had scheduled had close to 100 people, people who were involved in the process, and these were the people who made very significant recommendations to this process.

Those recommendations were part of our recommendations and the resolution that we did, but I think it is very important to recognize the time and the effort of these people from within who made the recommendations. And that is what we are pursuing and that is what is most important here, that these people who work within this industry are working together with the Members of the Senate and we are moving forward along those lines, and that is where these recommendations stemmed from. I just felt it very important to get that issue on the record.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution, as amended?

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

UNFINISHED BUSINESS SENATE RESOLUTION ADOPTED

Senators MOWERY and JUBELIRER, by unanimous consent, offered Senate Resolution No. 15, entitled:

A Resolution recognizing February 1999, as "American Heart Month" in Pennsylvania.

Which was read, considered and adopted.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. William A. Hershey by Senator Armstrong.

Congratulations of the Senate were extended to Sheila Greene by Senator Bodack.

Congratulations of the Senate were extended to Gayle D. Stoneback by Senator Conti.

Congratulations of the Senate were extended to the Central Bucks West High School Football Team by Senators Conti and Greenleaf.

Congratulations of the Senate were extended to Boy Scouts of America Troop 81 of Hatboro by Senator Greenleaf.

Congratulations of the Senate were extended to Jay Bullock by Senator Kasunic.

Congratulations of the Senate were extended to Pastor Elista Waters by Senator Piccola.

Congratulations of the Senate were extended to Max Shankroff by Senator Salvatore.

Congratulations of the Senate were extended to Lawrence M. Moy by Senator Schwartz.

Congratulations of the Senate were extended to Helen Marie Eisenman and to Bert Klapac by Senator Slocum.

Congratulations of the Senate were extended to Mr. and Mrs. Peter Peckyno, Mr. and Mrs. Robert Cunningham, Betty Jean Gamber and to Yvonne Beverina Weaver by Senator Stout.

Congratulations of the Senate were extended to Theresa D. Morris and to Greg Wilson by Senator Thompson.

Congratulations of the Senate were extended to Mr. and Mrs. Melbourne L. Roth by Senator Tomlinson.

Congratulations of the Senate were extended to Quenell Sease and to Bev Cramer by Senator Waugh.

Congratulations of the Senate were extended to Michael A. Fleissner by Senator White.

CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolution, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late George J. Sciranko by Senator Jubelirer.

PETITIONS AND REMONSTRANCES

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

Senator BODACK. Mr. President, tomorrow Governor Ridge will present his 1998-99 budget proposal, and it will not be difficult for him to do that because budgets are easy to write and sometimes they are even easier to sell, and of course in this particular case it is very easy because there are hundreds of millions of dollars in excess revenue for our Governor to deal with.

Now, we know that it is easy to govern when you do not have to make the tough decisions, but today on the eve of the Governor's Budget Address I would like to offer some perspective on Pennsylvania's prosperity. Pennsylvania is doing well, and the Governor's job has become easier in large part because a lot of the tough decisions were made, but not by Governor Ridge. Not even here in Pennsylvania were those decisions made. Those decisions that created Pennsylvania's unprecedented prosperity were made in our nation's Capitol in 1993.

And for those who may have forgotten, 1993 was the year that President Bill Clinton and some courageous Democrats in Congress, including a freshman Congresswoman from Pennsylvania, Marjorie Margolies-Mezvinsky, approved a plan which balanced the budget. The Republicans at that time refused to support the plan. They said it would not work. They questioned the spending cuts. They did not like the fact that it raised taxes on the rich. They were wrong. I think today the Federal budget is not only balanced but it is running a surplus, and as a result the economy is booming and the rich are becoming even richer.

The national economic boom has been good to Pennsylvania, and the State's growing economy and some creative bookkeeping have allowed our Governor to accumulate huge budget surpluses. Governor Ridge will use this year's surplus to propose

yet another series of feel-good budgets. It will be a budget that spends a little more money on some worthwhile programs. It will give big business another pile of tax cuts, and it will throw a few crumbs at the poor. If he follows his past forum, there will again be nothing in the budget for small businesses and middle-class taxpayers. In other words, no reduction in the personal income tax.

But, Mr. President, before we get swept up by the Governor's feel-good, play-it-safe spending plan, I think we should realize that we could feel much, much better. We would feel better if we lived in Delaware, Virginia, Maryland, New Jersey, New York, Ohio, and even in West Virginia, because every one of those neighboring States to Pennsylvania is creating jobs at a higher rate than we are here in this State. In 1998 the rate of job growth in Pennsylvania was about one-third of the national average. We ranked 45th in job creation out of the 50 States; 45th. For 4 years Governor Ridge has cut taxes for his big business cronies, ostensibly to create new jobs, and yet Pennsylvania ranks 45th in job creation.

There is something wrong, Mr. President. The national economy is booming, jobs are being created at record rates, and yet Pennsylvania still falls behind. We are 45th in job creation despite 4 years of big tax cuts for big business. Governor Ridge said those tax cuts would create jobs. He was wrong. His blind allegiance to the fat cats who financed his campaigns has blinded him to the truth. His tax cuts have not worked. They have not put Pennsylvanians to work, and perhaps the Governor was wrong because he cut the wrong taxes.

For years Senate Democrats have been seeking a cut in the personal income tax. A PIT cut would help small businesses, it would create the most new jobs, and it would put more money in the pockets of most Pennsylvanians. We have tried the Governor's tax cuts, and we now think it is time to do something different. It is time to cut the PIT and send at least some of the State's budget surplus right back to the taxpayers.

The Governor's trickle-down economics have failed. Let us try the trickle-up theory. Let us give some money back to the taxpayers and let them spend it in the State's economy. Let us give a tax break to small business. We need to create jobs, Mr. President, and a cut in the personal income tax can make that happen.

Thank you.

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

Senator LOEPER. Mr. President, I do not know what the gentleman cites as his sources, but it sounds to me like that job creation number is about 5 years old at this time.

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 BOARD OF TRUSTEES
OF HAMBURG CENTER**

February 1, 1999

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, Margaret Judd Breitenstein, 304 North Fourth Street, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2005, vice Ernest E. Heckman, Hamburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER**

February 1, 1999

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, Charles C. Husson, Sr., 29 Arlington Street, Reading 19611, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER**

February 1, 1999

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, Joann Reckley, 2403 Elizabeth Avenue, Temple 19560, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION**

February 1, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Franklin R. Herron, Jr., Ed.D., 71 Leader Drive, Jacobus 17407, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2002 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**CORRECTIONS TO NOMINATIONS
REFERRED TO COMMITTEE**

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

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

February 1, 1999

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

Please note the nomination dated January 29, 1999 for the appointment of Joseph Harenza, Stevens & Lee, 111 N. 6th Street, P.O. Box 679, Reading 19603, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1999 and until his successor is appointed and qualified, vice Craig A. Stein, Ambler, resigned, should be corrected to read:

Joseph Harenza, Stevens & Lee, 111 N. 6th Street, P.O. Box 679, Reading 19603, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 1999 and until his successor is appointed and qualified, vice Craig A. Stein, Ambler, resigned.

**MEMBER OF THE ERIE COUNTY
BOARD OF ASSISTANCE**

February 1, 1999

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

Please note the nomination dated January 27, 1999 for the appointment of Namon McWilliams (Democrat), 2104 South Manor Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Dorothy Lockett, whose term expired, should be corrected to read:

Namon McWilliams (Democrat), 2104 South Manor Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Dorothy Lockett, whose term expired.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 2, 1999

9:15 A.M.

COMMUNITY AND ECONOMIC
DEVELOPMENT (to consider the
nomination of Samuel A. McCullough as
Secretary of Community and Economic
Development)

Majority
Caucus Rm.

10:00 A.M.	JUDICIARY (public hearing to consider the nomination of Martin F. Horn as Secretary of Corrections; and a committee meeting to consider Senate Bills No. 231, 173 and 174)	Room 8E-B East Wing
10:00 A.M.	STATE GOVERNMENT (public hearing to consider the nomination of Gary E. Crowell as Secretary of General Services)	Rules Cmte. Conf. Rm.
WEDNESDAY, FEBRUARY 3, 1999		
9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider the nominations of James M. Seif as Secretary of Environmental Resources and John C. Oliver, III, as Secretary of Conservation and Natural Resources)	Room 14 East Wing
10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider the nomination of Samuel E. Hayes, Jr. as Secretary of Agriculture)	Room 461 Main Capitol
10:00 A.M.	EDUCATION (public hearing to consider the nomination of Eugene W. Hickok, Jr. as Secretary of Education)	Room 8E-A East Wing
10:00 A.M.	LAW AND JUSTICE (public hearing to consider the nomination of Col. Paul Evanko as Commissioner of the PA State Police)	Majority Caucus Rm.
MONDAY, FEBRUARY 8, 1999		
12:30 P.M.	PUBLIC HEALTH AND WELFARE (to consider the nomination of Dr. Robert S. Muscalus as Physician General)	Majority Caucus Rm.
1:30 P.M.	AGING AND YOUTH (public hearing to consider the nomination of Richard Browdie as Secretary of Aging)	Room 8E-A East Wing
TUESDAY, FEBRUARY 9, 1999		
9:00 A.M.	GAME AND FISHERIES (public hearing on proposed threatened and endangered fish species regulations) P O S T P O N E D	Room 8E-B East Wing
9:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider the nomination of Feather O. Houstoun as Secretary of Public Welfare)	Majority Caucus Rm.
10:30 A.M.	FINANCE (public hearing to consider the nomination of Robert A. Judge, Sr. as Secretary of Revenue)	Room 8E-A East Wing
TUESDAY, MARCH 9, 1999		
9:00 A.M.	LABOR AND INDUSTRY (public hearing on Workers' Compensation)	Room 8E-B East Wing
9:30 A.M.	GAME AND FISHERIES (public hearing on proposed threatened and endangered fish species regulations)	Room 8E-A East Wing

ADJOURNMENT

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

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Tuesday, February 2, 1999, at 11 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 4:37 p.m., Eastern Standard Time.