

# Legislative Journal

WEDNESDAY, APRIL 16, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 24

## SENATE

WEDNESDAY, April 16, 1997

The Senate met at 10:27 p.m., Eastern Daylight Saving Time.

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

### PRAYER

The following prayer was offered by the Secretary of the Senate, the Hon. MARK R. CORRIGAN:

Our Heavenly Father, in this moment of prayer when there is silence in this Senate Chamber, may our hearts be still and peaceful that we may know that You are God. Bless us with a measure of your spirit of wisdom, power, and grace, sufficient to successfully meet all the challenges that face us this night in the service of Your people. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of April 15, 1997.

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 BOARD OF BARBER EXAMINERS

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lois K. Herr (Public Member), 2297 Camp Road, Manheim 17545, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until her

successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

#### MEMBER OF THE INDUSTRIAL BOARD

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert T. Heenan, 1301 Rowland Road, Langhorne 19047, Bucks County, Sixth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday of January 1999 and until his successor is appointed and qualified, vice John Gallagher, Philadelphia, whose term expired.

THOMAS J. RIDGE  
Governor

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

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. Ralph Lovette, P. O. Box 811, Glen Road, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. Edward Nestlerode, Jr., 34 Cardinal Drive, West, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of Janu-

ary 2003, and until his successor is appointed and qualified, vice Denis Murray, D.Ed., Hollidaysburg, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION**

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maribeth J. R. Bucher, 20 Wheatland Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until February 21, 1999, and until her successor is appointed and qualified, vice James Oesterling, Reading, whose term expired.

THOMAS J. RIDGE  
Governor

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

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rose E. Schneider, 426 Canterbury Trail, Cranberry Township 16066, Butler County, Fortieth Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Joyce H. Catt, Butler, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS**

April 15, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael D. Lieberth, 1504 Oak Street, Oakmont 15139, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lawrence E. Filiaggi, Uniontown, whose term expired.

THOMAS J. RIDGE  
Governor

**RECALL COMMUNICATIONS  
LAID ON THE TABLE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of

the Commonwealth, which were read as follows and laid on the table:

**MEMBER OF THE ADVISORY COMMITTEE  
ON PROBATION**

April 15, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 6, 1997 for the appointment of Joseph F. Giles, Erie County Courthouse, Erie 16501, Erie County, Forty-ninth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Donna D. Gority, Altoona, whose term expired.

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

THOMAS J. RIDGE  
Governor

**DISTRICT JUSTICE**

April 15, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 23, 1996 for the appointment of Fritz Bittenbender, 264 Boas Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Allegheny, Magisterial District 5-2-04, to serve until the first Monday of January 1998, vice Raymond L. Casper, mandatory retirement.

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

THOMAS J. RIDGE  
Governor

**DISTRICT JUSTICE**

April 15, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 23, 1996 for the appointment of Domenick Argento, 910 Green Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Lackawanna, Magisterial District 45-3-03, to serve until the first Monday of January 1998, vice Mary A. McAndrew, resigned.

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

THOMAS J. RIDGE  
Governor

**LEGISLATIVE LEAVES**

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

Senator LOEPER. Mr. President, I request legislative leaves on behalf of Senator Mowery and Senator Hart.

The PRESIDENT. Senator Loeper requests legislative leaves for Senator Mowery and Senator Hart. Without objection, those leaves will be granted.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request legislative leaves for Senator Belan, Senator Bodack, Senator LaValle, and Senator Musto.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Musto, Senator LaValle, Senator Belan, and Senator Bodack. Without objection, those leaves will be granted.

**LEAVE OF ABSENCE**

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

**HOUSE MESSAGE**

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 67** by amending said amendments.

**RULE XIV SUSPENDED**

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

Senator LOEPER. Mr. President, as to House Bill No. 67, I move that the Senate suspend that portion of Senate Rule XIV, paragraph 5, to the extent that it requires bills containing House amendments to be referred to the Committee on Rules and Executive Nominations, and that House Bill No. 67, as amended, be placed on today's Calendar.

The PRESIDENT. Senator Loeper moves that Senate Rule XIV, paragraph 5, be suspended for the sole purpose of allowing House Bill No. 67 to be immediately placed on the Senate Calendar. The Chair would make it clear that the motion is not debatable.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I would like the Members, at least on this side of the aisle, to know that this bill is the \$400-million Ridge tax increase. It is going to bypass the committee. We have no way of knowing that without going through committee, Mr. President, and I would ask for a negative vote on the amendment.

The PRESIDENT. That is fine. We do not need the rhetoric at this point.

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-30**

Armstrong	Hart	Mowery	Thompson
Bell	Heckler	Murphy	Tilghman
Brightbill	Helfrick	Piccola	Tomlinson
Corman	Holl	Punt	Uliana
Delp	Jubelirer	Rhoades	Wenger
Earl	Lemmond	Robbins	White
Gerlach	Loeper	Salvatore	
Greenleaf	Madigan	Slocum	

**NAY-19**

Afflerbach	Kasunic	Musto	Tartaglione
Belan	Kitchen	O'Pake	Wagner
Bodack	Kukovich	Schwartz	Williams
Costa	LaValle	Stapleton	Wozniak
Hughes	Mellow	Stout	

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

The PRESIDENT. House Bill No. 67 will appear on the Calendar.

**HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

April 15, 1997

- HB 114, 360 and 413** -- Committee on Judiciary.
- HB 658** -- Committee on Transportation.

**BILLS INTRODUCED AND REFERRED**

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

April 16, 1997

Senators HART, HELFRICK, ROBBINS, RHOADES, SLOCUM, TILGHMAN, SALVATORE, HECKLER, MOWERY, HOLL, LEMMOND and AFFLERBACH presented to the Chair **SB 916**, entitled:

An Act providing for an economic impact statement for proposed legislation.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 16, 1997.

Senators HART, HELFRICK, ROBBINS, RHOADES, SLOCUM, TILGHMAN, HECKLER, MOWERY, HOLL, LEMMOND and AFFLERBACH presented to the Chair **SB 917**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), entitled, as reenacted, Regulatory Review Act, providing for economic impact statements.

Which was committed to the Committee on STATE GOVERNMENT, April 16, 1997.

Senators BRIGHTBILL, AFFLERBACH, EARLL, PICCOLA, HART, THOMPSON, WOZNAK, HECKLER and O'PAKE presented to the Chair **SB 926**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, Liquor Code, further providing for limited wineries.

Which was committed to the Committee on LAW AND JUSTICE, April 16, 1997.

Senators BRIGHTBILL, AFFLERBACH, EARLL, PICCOLA, HART, THOMPSON, WOZNAK, HECKLER and O'PAKE presented to the Chair **SB 927**, entitled:

An Act amending the act of December 5, 1933 (Sp.Sess., P.L.38, No.6), entitled Spirituous and Vinous Liquor Tax Law, further providing for definitions.

Which was committed to the Committee on LAW AND JUSTICE, April 16, 1997.

Senators BRIGHTBILL, AFFLERBACH, EARLL, PICCOLA, HART, THOMPSON, WOZNAK, HECKLER and O'PAKE presented to the Chair **SB 928**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for malt beverage definitions.

Which was committed to the Committee on LAW AND JUSTICE, April 16, 1997.

Senator TOMLINSON presented to the Chair **SB 929**, entitled:

An Act establishing standards regulating residential swimming pool, hot tub and spa design and construction; providing for safety precautions and protection against potential immersion accidents for children; and imposing a penalty.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 16, 1997.

### APPOINTMENT BY PRESIDENT PRO TEMPORE

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

Mr. Patrick M. Sicilio as a member of the Citizens Advisory Council of the Department of Environmental Protection.

### BILLS SIGNED

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

**HB 12, HB 850, HB 853 and HB 855.**

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS  
TO SENATE AMENDMENTS

**HB 67 (Pr. No. 1531)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for annual appropriation and computation of subsidy and for distribution of funding; providing for distribution of supplemental funding; further providing for use of funds distributed; providing for public transportation grants management accountability, for competitive procurement and for the Public Transportation Assistance Fund; further providing for period of registration, for duties of agents, for registration and other fees, for requirements for periodic inspection of vehicles, for limits on number of towed vehicles, for operation of certain combinations on interstate and other highways, for width and length of vehicles; providing for liquid fuels and fuels permits and bond or deposit of securities, for imposition of liquid fuels and fuels tax, for taxpayer, for distributor's report and payment of tax, for determination of tax, penalties and interest, for examination of records and equipment, for retention of records by distributors and dealers, for disposition and use of tax, for discontinuance or transfer of business, for suspension or revocation of permits, for lien of taxes, penalties and interest, for collection of unpaid taxes, for reports from common carriers, for violations and reward for detection of violations, for refunds, for diesel fuel importers and transporters, for prohibiting use of dyed diesel fuel, for disposition of fees, fines and forfeitures, for certified copies of records and for uncollectible checks; further providing for distribution of State highway maintenance funds and for standards and methodology for data collection; providing for dirt and gravel road maintenance; further providing for imposition of tax and additional tax; providing for tax on alternative fuels; further providing for disposition of tax revenue; making an appropriation; and making repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 67?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 67.

On the question,

Will the Senate agree to the motion?

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

Senator CORMAN. Mr. President, House Bill No. 67 is our legislation to enhance the transportation facilities of the Commonwealth of Pennsylvania. As we all know, a good transportation system is key to a thriving economy. If I may outline the bill a bit, Mr. President, the bill provides for a 38.5 mill increase in our oil franchise tax, which is equivalent to about a 3.5 cent increase. This will raise about \$200 million, Mr. President, which will be used for maintenance for Pennsylvania's highways and for local government's highways. Now, some people may ask, why do we need so much money for maintenance? Well, we have distributed a maintenance formula, and I am sure you have all looked at it, and I do not know of anyone who is saying, I am getting too much. Many are saying, gee, I wish I had more, but if anyone is getting too much, let us know and we can share theirs with someone else.

The job for maintenance in the Commonwealth of Pennsylvania is huge, Mr. President. Many people do not realize the size of it. We have 44,300 miles of State highways to maintain in Pennsylvania, and that is more than the States of New Jer-

sey, New York, and all the New England States combined. Now on top of that, Mr. President, we have 72,700 miles of local highways and some 25,000 bridges in excess of 20 feet, and others that are smaller, all to be taken care of out of this franchise tax, Mr. President. This is a huge responsibility.

We also hope to raise approximately \$200 million for new construction in an increase in the registration fees. There will be a 50-percent increase in registration fees for the motorists, and that will be a \$12 increase, from \$24 to \$36, and you know, just as a side light to compare it to one of the smaller States in our area, Rhode Island, which has less than 1,200 miles of highway, a 1995 Ford Taurus registration fee would be \$979. So it seems like even at \$36, compared to all the States around, that is a pretty good buy for a registration fee.

The registration fee will also apply to the trucking industry as well, and unfortunately for 80,000 pound trucks, they are looking for an increased fee of \$562.50. Now in the truck registration, it is only going to go in effect January 1 of 1998 rather than immediately, because the trucking industry is a very important industry in Pennsylvania. It can be pretty well said, if you got it, you got it by truck. They are very important to the economy of Pennsylvania. Many of us wanted the truck registration fee increase to go in 25 percent or 50 percent January 1 of 1998 and the other half to go in January 1 of 1999, still others wanted it to go into effect immediately. This would certainly cause a lot of problems for the trucking industry with the current contracts that they have in place, let alone the increased cost in fuels. So, as usually happens around here, Mr. President, we struck a compromise and this increase will go into effect January 1 of 1998.

We tried to provide some additional benefits to the trucking industry, benefits that seemed appropriate. For example, they have to ask permission to travel on certain highways in Pennsylvania where they automatically get those permissions anyway, but they have to read the Pennsylvania Bulletin or do some work to get these permissions, so we provided that certain combinations will be authorized to access highways marked with traffic routes, three-digit State route numbers, with traffic lanes of 10 feet in width, unless precluded by PennDOT or State highways based on safety reasons and marked with signs prohibiting such vehicles. Many local communities already have exercised that with the help of PennDOT to say that these truckers cannot be in their community because of safety hazards, and as they are developed they will be so noted. We also provided the trucking industry with permanent registration of their trailers if they so desire to do that, and annual safety inspections.

We provided that the point of collection is going to be at the distributor level. There are lots of benefits in that not only to the trucking industry but to the Commonwealth as a whole. I believe that with the tax being collected at the distributor level we will be able to rid ourselves of some of the cheats that are involved in the system and will be able to collect more of the legitimate tax that people do pay and pick up those who are avoiding the tax for whatever scheme they are using. At the same time it helps the trucker, because not only are we going to collect the regular tax at the pump, we are also going

to collect what formerly was called the 6-cent diesel surcharge. Truckers had to file quarterly reports and then once a year go through an audit and pay their taxes. Now it is going to be collected at the pump and they will avoid having to file their quarterly report. They will only have to file an annual report showing what miles they drove in Pennsylvania, what miles they drove out of State, so they can file to have their money returned. I think we have done some good things to try to help that industry in Pennsylvania.

This bill also provides for mass transit. It is a transportation bill. It does not just deal with highways. It provides a requirement of \$150 million for transit. Actually, the bill only provides \$75 million for operating assistance in this bill, but there is a commitment from the administration to provide an additional \$50 million in capital expenditures and \$25 million in flexible Federal funding. What that means is we get money from the Federal government and we have the flexibility to use it in a variety of ways. We have decided to commit \$25 million to mass transit. So combined we work up to \$150 million.

Now, some people have said that we need to require a little bit better management on the part of the mass transit systems in Pennsylvania, and we have also included this in the legislation, Mr. President. We require management performance audits of transit entities, periodically requiring them to encompass all public transit programs and services financed in whole or in part by grants provided by PennDOT. Criteria included in the performance audit will be established by PennDOT. Customer satisfaction surveys must be performed by these entities and survey results submitted to PennDOT. Grants may be suspended by PennDOT for failure to perform required management performance audits or customer surveys.

We have also, Mr. President, taken care of rail freight as well. There is a commitment from the administration to commit \$8 million for rail freight subsidies. Previously they received \$3.6 million, so it is a nice increase in the budget. Two million dollars of that \$6 million will be allotted for industrial development, putting rail into a new industry that will require rail, and \$6 million for rail rehabilitation. I believe it is an outstanding program.

Some people might be saying, but why are we increasing these taxes at this time? Can we not ask PennDOT to operate a little more efficiently, and so squeezing them into efficiency maybe we can get by with less tax? Well, Mr. President, I would like to cite that we have an outstanding Department of Transportation. I believe when Tom Larsen was Secretary under Governor Thornburgh, he really got that department into great shape. It stayed that way through Governor Casey and it is still that way under Governor Ridge. We have an outstanding department and if you look at all the measurements, I think you have to agree.

You can look at our sister States. As I said, we have about 44,300 miles of highway, and that is more than all the New England and New York and New Jersey States combined. If you look at another measure of the number of employees we have in PennDOT, if we look at New Jersey, they have one employee for every half mile of highway. If we look at Connecticut, they have one employee for every mile of highway.

Rhode Island has an employee for every mile and a quarter of highway. New York has an employee for every mile and a half of highway. In Pennsylvania we only have one employee for every 3.63 miles of highway. So if you look at the numbers of employees and the miles of highway that we have to manage, I think you have to see they are doing a really good job.

But how does that equate to dollars? Well, let us look at that as well. In Massachusetts they spend a huge \$404,757 a mile on maintenance; New Jersey, \$324,621; Rhode Island, \$212,497; and down the line you go until you finally get to Pennsylvania, where we spend \$50,484 a mile. So I think no matter how you look at it, Mr. President, if you look at the expenditures per mile or the employees per mile or any way you look at it, PennDOT is doing an outstanding job. And in fact, there was a study done by the University of North Carolina and I quote it, and it says, "With just over 12,000 employees, PennDOT is the leanest it has ever been, with less than half the work force of the 1970s." A study by the University of North Carolina ranks PennDOT as the third lowest State Transportation Department in the nation for administrative overhead. So I think we can point with pride to the job they are doing, Mr. President, and there is not waste.

Others might say, why are we asking for a gas tax when we have that huge surplus in the General Fund? And people at home have asked that as well and I have said to them, well, do you want us to take your personal income tax and subsidize that highway system for the trucking industry? And they immediately say, no, let the commercial industry pay their own way, and that is what we are doing, Mr. President. We are having the highway users pay user fees to transport whatever it is they want to move on Pennsylvania highways, and we let our personal income tax, which is only 2.8 percent in Pennsylvania, only provide for the General Fund. Now, if we look at some of the States around us, if we look at Delaware, they have a personal income tax that is graduated, it goes up to almost 7 percent; Maryland, up to 5 percent; New Jersey, up to 6.5 percent; New York, up to 7 percent; Ohio, up to 7 percent; West Virginia, up to 6.5. Many of them subsidize their transportation systems from their personal income tax, and their rates are higher than ours. We do not subsidize it. We tell the Department of Transportation they have to stand on their own two feet. When they need user fees, ask for user fees. I think that way we keep our rates down both for transportation taxes and our personal income tax that is at 2.8 percent.

Mr. President, in closing, good roads and bridges create jobs, they aid economic development and promote safety. It is important that we continue to repair, replace, and construct an adequate transportation system to benefit Pennsylvanians. The need to improve our roads and bridges cannot be ignored. I ask each of my colleagues to join me in voting to pass House Bill No. 67 tonight.

Thank you.

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

Senator MELLOW. Mr. President, I have been in the Senate for a number of years, and this is the first time that I have heard a speech by any Member of this body trying to be a

cheerleader for a tax increase and to sugarcoat it and say what we are doing for people. In fact, I think the gentleman from Centre, Senator Corman, started off by saying that this will enhance transportation facilities, his initial quote. Quite a slick way of saying to the motorists of this State that tonight Tom Ridge will increase your taxes by \$400 million and we are going to disguise it by saying we are enhancing the transportation facilities of the Commonwealth. Another nice way of saying that basically the truckers are going to have to pay for the increase in the taxes and the increase in revenues. One thing the gentleman failed to say is that the truckers were given a lot in this proposal at the expense of the safety of the motoring public. He did not tell you that the truckers are going to be able to go higher in their truck, their trucks are going to be able to be wider and longer, Mr. President, for the kind of money that they are paying.

And the one thing, Mr. President, that was not said and which should have been said is the fact that this is going to cost the people of Pennsylvania \$400 million out of their own pocket. The same individuals, Mr. President, who are going to pay for this tax are the same people who have made the Ridge surplus possible. Is it not ironic that this vote will come here tonight? After all, it is April 16, just one day after the deadline has passed for income tax to be paid where millions of Americans, and indeed millions of Pennsylvanians, reluctantly paid the tax man. And now we are coming right back to those people and saying, you did not pay enough, you did not shed enough blood yesterday, we are going to extract \$400 million more out of you, because we think Pennsylvania deserves that money.

Many of the taxpayers, Mr. President, yesterday did breathe a sigh of relief when midnight came and not only did they pay their taxes, but maybe at that point in time they realized that somehow, in some way their State taxes would not be increased. But this is a cause that is being trumpeted by the Republican administration right here in Harrisburg, that although they are sitting on a substantial surplus, they want to increase your taxes. This time, Mr. President, it will not be Uncle Sam in Washington increasing their taxes. It will not be that Congress of the United States that is going to say, we want more money out of your wallet. It will be Tom Ridge, Governor of the Commonwealth of Pennsylvania, looking for an additional \$400 million in taxes. And that is \$400 million, Mr. President, of a tax increase, despite the fact that the Governor already holds a half-billion dollars of their money in surplus in the bank. It is these same working men and women who will also discover that their Governor has increased their vehicle registration by 50 percent. And the gentleman may want to say that in Pennsylvania it is only going to go from \$24 to \$36.50, and in fact he is correct. That represents a substantial increase of 50 percent to the motoring public in Pennsylvania.

Mr. President, this is nothing more than a \$400-million middle-of-the-night fleecing brought about by the Governor and the Republican-controlled legislature of this Commonwealth. Here it is, Mr. President, at 5 minutes to 11 in the evening. We have not had the opportunity of seeing the bill. We have not

had the opportunity of going through the bill in detail and giving our people, giving our staff individuals, the right to express to us what is really written in the proposal. We did not have the opportunity of going through the Committee on Rules and Executive Nominations because this had to be a midnight fleece. We suspended the rules on the floor of this Senate so that this rip-off could be passed on, this unnecessary rip-off of taxes, to the people of Pennsylvania. The passing of this measure, Mr. President, will not mean that tomorrow morning because you are going to pay more taxes to the Department of Transportation, you are not going to find in your community a bulldozer or a PennDOT dump truck, Mr. President, or any paving machine in front of your home or on the highway paving a road because of the tax increase that will be implemented by the Republican Party here in Pennsylvania tonight. What it will mean is that your taxes will soon be going up once again and that tax man will be knocking on your door, that the taxpayer in Pennsylvania will feel the pain of the Governor's \$400 million tax increase.

For those tonight, Mr. President, who are going to vote for this tax increase because they have been guaranteed programs, guaranteed projects in their district, and we heard it over and over in our caucus tonight, Mr. President, that certain Members would have to vote for this increase because they have been guaranteed in their district that projects will start and will start soon. Well, for those people I would like to say to them, and if they really believe that the \$400 million tax increase will give them some misguided benefits in their district, then I think they should be looking at the spaceship that came through here just recently and perhaps the comet Hale-Bopp will have some additional benefits for them, because it is just not going to happen, Mr. President, the way it has been sold. In fact, I will go one step further. If every commitment given by this administration, by the Secretary of Transportation, by Members of this body to other Members of this body, if every commitment is guaranteed and will be ultimately delivered and we pass a tax increase of \$400 million, Mr. President, we are not even going to scratch the surface of the kind of money that will be necessary to spend to make sure that every commitment that has been made will be lived up to.

Now, Mr. President, what does this increase mean to the actual individual, the impact of the proposed gas tax to the average taxpayer and to the average Pennsylvania family? Let us make some basic assumptions, if we can, Mr. President. Let us assume that the average family has two cars, and I think that is fair because I believe some families have three cars, and the average mileage that those families travel is 12,000 miles a year, and, quite frankly, I believe that the average mileage that is traveled by the normal family in Pennsylvania is probably more like 15,000 miles a year. And let us assume that the average fuel efficiency is 15 miles per gallon. And let us make a further assumption, Mr. President, that the average individual will fuel up those cars once a week and put approximately 20 gallons' worth of gasoline in each vehicle. Then for those two vehicles, Mr. President, for every 20 gallons of gasoline that goes into those vehicles, \$10 of the money that they are paying for that 20 gallons of gasoline will be given to

pay taxes. When you think about it, it is incredible. When you think about the fact that the average family will pay \$80 annually for the 3.5-cent tax increase, plus an additional 50 percent, Mr. President, for the registration of their automobile. The increase, in case you want to try to downplay it, is equivalent to three-tenths of 1 percent of the personal income tax. Quite ironic. The increase of \$400 million would be equivalent to the tax giveaway of 1995 by the Ridge administration. He gave \$400 million to businesses and now he is asking for \$400 million from the individual to make up that money in the form of an increase in gas tax.

Mr. President, the tax will increase, the total State and Federal motor fuel tax in Pennsylvania, to just short of 45 cents a gallon. The average cost to the family will be near \$800 per year, and we are saying this is something great for the motorist of Pennsylvania. In fact, with this gas tax increase, in total amount of money, only the State of Connecticut, which was mentioned by the gentleman from Centre, Senator Corman, before, will have a higher rate of taxation than we will have right here in Pennsylvania, and he is telling us it is what is good for the State of Pennsylvania.

Senator Corman talked about what is good and what happens in the State of New Jersey. I would like to inform him that our taxation in Pennsylvania is twice as high as what took place in the State of New Jersey. The State of New Jersey only has a 10.5-cent per gallon tax in that State, and that is one of the reasons why people who live near a bordering State go across the State, Mr. President, to purchase their gasoline. And what is going to happen to the poor individual, the poor people who have to depend upon the delivery of the market, the consuming goods to the market, what is going to happen to that person and how is their increase of their cost-of-living expenses, how is that going to increase because of what is taking place right here? The cost-shifting for the average Pennsylvania family also, Mr. President, will be equivalent to about a two-tenths of 1-percent increase in sales tax, and Senator Corman is trying to tell us how good this is for the people and how important it is.

But I would like to inform Senator Corman, and Governor Ridge, if he is listening, about one thing: I have not had one single, individual taxpayer, not one single motorist in my senatorial district call me yesterday or call me last week or call me last year when Tom Ridge first start talking about this and say to me, you represent me in the State Senate. Will you do me a favor, go back to Harrisburg on April 16 and sometime after 11 o'clock in the evening vote to increase my taxes, even though we are sitting on a surplus that will exceed \$1 billion between the actual surplus in the State, the amount of money that is a surplus in the Motor License Fund, Mr. President, and the other funds that are made available. And I realize that I could go on and on and on, but I am not going to do that. The only problem with what is taking place here today again is that fella and that lady who go to work every day once again are getting it up the old wazoo And in case you do not know where the wazoo is, Mr. President, it is the north end of a horse that is traveling south. It is unfortunate that today we are once again doing that to the taxpayer of Pennsylvania when, in



fact, it is not needed, and I urge for anyone who is listening, Democrat or Republican, even if you have committed yourself to vote for the bill, even if the Governor has said to you, or if some Member of this body has said to you, or if the Secretary of Transportation has said to you, we will give you the projects that you want, we will put them on a 12-year program, and next year we will have another 12-year program, and the year after that we will have another 12-year program. If they have made those kinds of commitments to you, Mr. President, they are not going to live up to them. Vote for your constituent and vote for the taxpayer and do not vote in support of Tom Ridge's \$40-0-million tax increase.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Mowery has returned, and his legislative leave is cancelled.

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

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

The PRESIDENT pro tempore. Mr. President, I guess in a sense, like Paul Harvey, I like to tell the rest of the story. Senator Mellow paints the bleak picture of the burden to the taxpayer. I think there is another side of that story, and the biggest winner in Pennsylvania is indeed the taxpayer.

Mr. President, 6 years ago, in just another couple of months, many of us were here worrying about a huge deficit that Pennsylvania had and how we were going to get out from under it in 1991, and through the whole summer we suffered through that, and eventually a \$3 billion tax increase was foisted upon the taxpayers of Pennsylvania, supported by then Governor Casey.

Senator MELLOW. Mr. President.

#### POINT OF ORDER

The PRESIDENT. For what purpose does the gentleman, Senator Mellow, rise?

Senator MELLOW. Mr. President, I rise for a point of order. The PRESIDENT. The gentleman will state his point.

Senator MELLOW. Mr. President, there is no relevancy whatsoever to what the gentleman is stating took place in 1991 with regard to what is happening by Governor Tom Ridge asking for a \$400 million tax increase in 1997, and I would hope, Mr. President, that the Chair would ask the gentleman to stay to the topic.

The PRESIDENT. The gentleman is well within the bounds of discussing tax policy.

Senator Jubelirer, carry on.

The PRESIDENT pro tempore. Mr. President, I would like to get to my point. If I can get to my point and I do not make it, then Senator Mellow can interrupt.

Senator MELLOW. Mr. President.

The PRESIDENT pro tempore. Mr. President, what Senator Mellow has asked us to do here today--

The PRESIDENT. Senator Jubelirer, would you yield.

For what purpose does the gentleman rise?

Senator MELLOW. Mr. President, is it the Chair's ruling that what the gentleman is talking about on the tax increase of 1991 is relevant to the issue of the 1997 increase?

The PRESIDENT. I think it is obvious to most fair-minded people that tax policy is on the floor, and Senator Jubelirer is prepared to address it.

The PRESIDENT pro tempore. If I am allowed to finish, I think even Senator Mellow will agree that it is indeed relevant since he raised it.

Mr. President, we did that in 1991, and the point I make, very clearly, is what Senator Mellow would ask Governor Ridge to do today would lead us to the same situation in 1998, and that is spend the surplus, whatever that may be, and it rises every time I hear the other side of the aisle stand up and talk about it, Senator Mellow and Senator Fumo, and spend that surplus. It would be a one-time spending only without dedicated funds. It might do some help on the maintenance formula for 1997-98, and then it would be gone and we would be back where we were without a Rainy Day Fund, without a surplus, with an economic forecast that is not as bright as it was this year, we would be back in the hole, and then indeed we would have the choice of cutting significant services to the taxpayers or raising taxes, which is exactly what certainly the other side can see. And so when Senator Mellow talks about this surplus, I would indeed recall what happened those years, for as it has been said many times, if we ignore history, we are doomed to repeat it. And I think it is entirely relevant what I say to the gentleman and to the people of Pennsylvania that we are not going to do that, that this administration is committed to make sure that that does not happen.

Mr. President, under Republican governors and under Democratic governors Pennsylvania has found it necessary to increase transportation funding from time to time, and I have supported Governor Casey, Governor Thornburgh, and now Governor Ridge when the need has come to be for transportation funding. Whether the prevailing political move was conservative or liberal at the time, Pennsylvania has always known that no State can hope to be competitive while trying to limp along with a crumbling road system. Make no mistake about it, Mr. President, we have an infrastructure that is very difficult. We can only see from the weather today, which might have been 70 degrees today and will be 40 degrees tomorrow. We have snow, we have rain, we have hail, we have sleet. The roads of Pennsylvania and the bridges need repairs indeed. It is a crumbling road system that needs to be addressed, and if we do not address it, we are doing a great disservice to the taxpayer.

The reasons for increasing transportation funding are many: to upgrade road maintenance, to expand highway construction, to repair bridges, to bypass traffic bottlenecks, and to provide the modern highways that jobs depend on to ensure that we have the match, the State match for the Federal funds that have been indispensable to projects across the State. Senator Mellow talks about \$400 million. Mr. President, one-half a cent of this money alone in the Mon Valley dedicated to that project will



create \$28 million of State funds and leverage \$280 million of Federal funds to help build that very important project in southwestern Pennsylvania. Many of us in the Senate have previously voted for transportation increases to fund billion-dollar bridge repair programs, major highway construction efforts, and turnpike extensions to connect areas that are economically hard-pressed. Those votes may not have been universally popular, but the resulting jobs and business locations I believe sure were.

Mr. President, I doubt anyone declined to take credit for the jobs, the real jobs, the construction jobs first and the real jobs that followed highway improvements. I listened to speaker after speaker in the House say we must do something about roads. We must do something about mass transit. They are right, Mr. President, but many were wrong in proposing wiring together a mix of temporary and suspect funding to create a one-year Band-Aid. Transportation needs do not get met by Scotch taping together one-time funding. They are met through dedicated funds that are available year after year after year. For those who made the argument that the General Fund surplus goes untouched, that is just not true, for significant mass transit funding comes directly from that source. When transportation advocates point to the direct tie between highway improvements and real job creation, Mr. President, one of the most used and best examples runs through my district, Interstate 99, which helped turn what was once an area of economic despair in central Pennsylvania into one that now has historically low unemployment. That is not just the central Pennsylvania story, for there are examples in the southeast, the southwest, the northeast, and the northwest, where all of us come from. It cost a lot of money, State and Federal, to build such roads, and some tough votes, such as the one confronting us here tonight, had to be taken, and as in the case of many areas, the job is not done. You see, those jobs create taxes, too. They create taxes that are paid by businesses who are able to employ people who would otherwise not be able to be employed. Only when the connections are finished will the full benefits be delivered. But you see, this is clearly a case where the investment produces results for everyone to see. Although it is a user tax, Mr. President, we will have more commerce, more jobs, more opportunity for the future, more opportunity, Mr. President, to keep our young people in Pennsylvania where we had the opportunity to grow up and have a job. That is what we are talking about here tonight.

I have seen claims from opponents that this will hurt workers, that it will hurt trucking, yet the Teamsters are strongly supporting this as good for workers and good for transportation. They put the argument simply and directly, and I quote, "Greater access to new & improved highways means more freight being shipped through our ports and more jobs." Labor and employers know that we keep jobs and attract jobs with good transportation. For those who see political advantage in stopping an increase in transportation funding, they are telling people in community after community, in urban, suburban and rural areas that their projects will have to wait even longer, that their projects may one day be scaled back because the costs will have risen as a result of the delays, that the roads

they drive on will not be maintained as well as they should be, that safety will have to suffer, that we have a 12-year plan that is not a concrete list because the resources are not available to pay for these projects. Insufficient funding equals insufficient results. The math works no other way, Mr. President.

To compete for jobs, to compete with other States for progress, we hear many advocate different areas where added State investment is imperative and irreplaceable. I would remind the Members of the Senate and all people of Pennsylvania that this is the only way we fund our highways, through this user's tax. If you go to the State of New Jersey, our neighbor to the east, you will find they use property taxes, they use sales taxes, they use their personal income tax to fund the highways, and as Senator Corman has said, they do not have nearly the highway network that we have, and they spend far, far more on each mile of highway.

As the Keystone State, Pennsylvania counts on transportation access as one of our prize and our most precious assets. It is a winner. It is time to raise that investment for jobs, for safety, and for projects. Mr. President, to do anything less than to make this very difficult vote and to explain to our taxpayers, to our voters why we do it, I think would be wrong. I recognize there are differences of opinion everywhere, but as I said when I began, Mr. President, there is the rest of the story.

Thank you.

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

Senator O'PAKE. Mr. President, if anybody is watching this show at 11:10, they may wonder whether they are watching the comedy of "Saturday Night Live." To listen to the bleeding heart liberals on the other side asking for a tax increase defies credibility. If they watch a little bit longer and try to add up all the commitments that are being made to win tax votes, they may think they are watching "The Price is Right." One thing you can be sure of is that after this vote is taken, many seats will be in "Jeopardy."

Whoever heard of raising taxes by \$400 million a year when we have a \$400-million-plus surplus? It just does not figure. Anyone in their right mind would say why do you raise taxes when you have all this money lying around? The Ridge \$400-million tax increase is opposed by about 70 percent of the people of Pennsylvania. All we are asking for tonight is to listen to the people of Pennsylvania. Yes, we need roads. We have offered some reasonable options as to how to get the money to pay for those roads. They have not been accepted by the front office, but I suggest that the people of Pennsylvania and Senator Bell, I see him over there, year in and year out have suggested a very reasonable way to raise the money to jumpstart the highway program again in Pennsylvania, and that is the familiar route of the bond issue. Any major road is certainly a capital project. The life is at least 30 years. When the people of Pennsylvania do not have the money to buy a home, they take out a mortgage because they know that over 30 years they will have the money, they will have the use of that home, and they can pay each year to improve that capital project to get that home. Any business, if they do not have the money up front to start that business, will borrow that money

because the life of that business will permit them to pay off those expenses over the long-term life of that business.

What we have been suggesting, rather than the Ridge \$400-million tax increase, is to use some of the surplus that everybody admits. The Governor says it is \$370 million; we say it is probably going to be close to a half a billion dollars, \$500 million. We know there is some surplus in the Motor Vehicle Fund, at least \$100 million. Let us use some of that surplus, go to the bond market, the time is right. We have spent down and the obligation of debt service is far lower now than it has ever been in Pennsylvania, and people will understand that if you want to build a highway which is going to last for many, many years and reap a lot of economic benefits as the areas develop, the way to go is a bond issue. Do not shove down the taxpayers' throats the Ridge \$400-million tax increase. So when we hear that the biggest winner in Pennsylvania is the taxpayer of Pennsylvania, as I said, you have to really stretch the imagination to come to that conclusion.

Mr. President, all we are asking for is to listen to the people of Pennsylvania for a change. When 65 to 70 percent of Pennsylvanians say they cannot afford this tax increase, they know that there is a surplus, they know that you do not raise taxes by \$400 million when you are sitting on a surplus of \$400 million. Mr. President, I hope that reason would prevail. I hope that the people of Pennsylvania will be heard on this floor at 11:15, and even though I am sure there are a lot of other things, safety things in this bill that I am concerned about that we have not even explored, but the key is raise taxes \$400 million when we have a \$400-million surplus. It just does not make sense.

Thank you, Mr. President.

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

Senator ARMSTRONG. Mr. President, I will make this brief. The Minority Leader said this would cost the average Pennsylvania family \$800, and I am trying to use his numbers, which he stretches a little bit, but I will go through my math and maybe since he is an accountant, maybe he can correct them. He said a 20-gallon tank, you have two cars. So for 20 gallons times 3.5 cents, that is 70 cents per week per car. If you have two cars--most cars do not have 20-gallon tanks, they have about 14- or 15-gallon tanks, but I will use his stats--a 20-gallon tank, two cars, that is \$1.40 per week, per family. Now multiply \$1.40 times 52, my math gets me up to \$72.80 per family. I will throw in the two registration increases of \$12 each, that is \$24, that is \$96.80. Now divide that backwards by 52 weeks, that is \$1.86 per week, per family. Now divide that back per day, that is 26 cents per day, per family to use the highway system in Pennsylvania that is going to be upgraded.

Now, anyone who travels the highways in Pennsylvania knows we need to have them repaired. I equate this to a leaky roof. If you do not fix the roof in your house and it gets worse and worse, pretty soon the whole structure is going to be damaged and it is going to cost you 10 times more than fixing that leaky roof. Right now we need this money desperately to fix the roads, repair the roads in Pennsylvania, so we do not have to totally rebuild the infrastructure in Pennsylvania. I think no

one likes to vote for any type of increase, but it is a user fee and the people who will use the roads will be paying this 26 cents per day, per family.

Thank you, Mr. President.

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

Senator MELLOW. Mr. President, I believe that I would just like to make a little bit of a clarification. It is obvious that Senator Armstrong is not an accountant, and he is also not a mathematician. If Senator Armstrong would take the cost of driving a motor vehicle in Pennsylvania at the gas pump, once you vote for the tax package, which I am sure he is probably going to vote for, which approximates close to 50 cents per gallon of gasoline, and you put 20 gallons of gasoline in your car per week, Mr. President, that is \$10 any way you want to cut it. Now, if you want to mislead people and say it is not, you do that, but the truth is that the gas tax in Pennsylvania is pushing 50 cents per gallon, Mr. President.

The PRESIDENT. I encourage the speakers to address the Chair and steer clear of the personal references, which are the rules, and we will move this along.

The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, the Chair referred to the issue we are discussing now as a matter of transportation policy. I would rather look at the issue we are discussing as a matter of maybe tax policy and the services that we should render to our citizens. In that regard, I see our issues that we are discussing in such profound and technical terms tonight about our roads and transportation and \$400-plus million. I think it is just ironic that just last year we deprived about 250,000 Pennsylvanians of basic human needs, and I find that to discuss what we are discussing now as a priority before those people who have been lost between the cracks, not of roads but of life, of lives, insensitive, and way out of priority as to what a State ought to do.

So I rise to strongly oppose the proposed tax, the proposed expenditures, and to discuss those in terms as though the human lives we just ignored last year are of no value. And if one or two or three voices said that, I think we ought to be continually reminded of that. I, for one, find it insensitive and deeply offensive that we can go on as usual with little or no attention to repairing those lives we have dropped. And to serge out and to rise up and to almost brag about the roads that we are going to mend to create jobs, and so forth and so on, when the very mandate in welfare reform says let us create jobs and take folks off welfare, which has no promise yet to happen, I predict we will not find the mettle nor the political fortitude to do the same. I pray that at some point in the near future as we move along in these big, big tax proposals and expenditures that we would return to the commitment that our purpose is to mend lives before we mend the roads that they may travel on.

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Delp.

Senator DELP. Mr. President, I rise tonight in support of the bill that we are debating. I think there are two issues though that we are dealing with, and we have talked extensive-

ly about the issue of where we are going to raise the revenue and questioned the fact that we are going to be raising user fees, but the issue that has not gotten a lot of discussion tonight is the fact that included in this package is a change in the way that we are going to reallocate the maintenance money to all 67 counties. Now for the Members who were in the General Assembly last Session, I distributed literature to all of you that showed unequivocally that the way we currently do it is at best unfair. At best. And I also showed each and every one of the Members of the last Session that if we were to do it in a fair method, most of the Members would actually benefit. The fact is, we do not currently give the counties money that have the roads. We currently give the money based on I guess a political decision that was made nearly 20 years ago.

Contained in the bill that we are going to vote on tonight is going to be language that will change the way each of the counties get their maintenance money. And I guess from the way some of the Members are talking and from what I am hearing, there are actually going to be Members here tonight who are going to vote against a bill that is going to give their county more money. I find that hard to believe. I hope that is not the case. I hope everyone would think tonight about what is best for their constituents. So that is an issue that has not been discussed.

Now, on the issue of actual increase in the gas tax, the debate seems to be, I do not think anyone is arguing the need. I have not heard anyone who stood up to speak tonight in opposition to this bill say that the need is not there. I think everybody agrees about the fact that we have in excess of 44,000 lane miles of highways. I think everyone knows for a fact that the Commonwealth of Pennsylvania has twice the national average of truck traffic, twice the national average. We have the worst winters in the country. We have the worst freeze-thaw cycle in the country. There is nothing we can do about that, but it is true and it affects the quality of our highways. No one has disagreed that we need to raise the money. The debate tonight seems to be centered on where it comes from. Well, I, for one, am a strong supporter that the people who use the highways should pay for the highways. And I also believe that just because there may be some money in the General Fund today does not mean there will be money in the General Fund next year, but I guarantee you we will have the same winter next year that we have had last year and the year before; it is going to freeze and it is going to thaw and we will still have 44,000 lane miles of highways. We are going to need the money every year. The most prudent thing to do tonight is to vote to change the way we allocate the money so it will get fairly allocated to all the counties and to make sure that there is a long-term solution to our transportation needs in the Commonwealth of Pennsylvania.

I encourage all my colleagues to vote "yes" on this bill.

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

Senator AFFLERBACH. Mr. President, a few years ago a very prominent actor would look out at the public through the magic of television and say in a deep gruff voice, we will sell no wine before its time. I believe that we in the Senate have

an obligation to enact no tax before its time. And the time is not here. The gentleman from Blair County has suggested that if we were to take the ever-burgeoning surplus in the General Fund and apply it toward transportation needs it would be a one-time infusion and then it would be spent and there would be nothing more. And that may be a very realistic fear. We do not know what direction the economy is going to take over the next 12 months. And we may in fact take that ever-burgeoning surplus dedicated to transportation needs and a year from now find ourselves in the position that we are debating tonight: should we enact a tax increase or should we not? But the point is that the economy could just as well continue rolling along at the present pace, or even better, and produce an even greater surplus a year from now, in which case we would again be able to infuse moneys from a General Fund surplus into highway transportation needs. The fact is, Mr. President, that we just simply do not know what the economy is going to be like a year from now. And even the best prognosticators cannot give us a very good picture of a forecast.

But what we do know is that we do have something in the vicinity between \$370 million, \$500 million, \$600 million by June 30 that we could indeed apply at least a portion of, or all of it if we so desire, to transportation needs for the next 12 months. And if in fact the dire prediction that the economy slows down becomes true and if in fact we find ourselves in need of a tax increase next year, then that would be the time to debate it. But, Mr. President, I do not believe we should be enacting a tax before its time, and this is not the time.

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

Senator BRIGHTBILL. Mr. President, for this individual who represents a portion of Berks County, a portion of Lehigh County, and all of Lebanon County, it is really a very simple choice, not an easy choice, not one that I particularly want to make. In fact, it is a hard vote for me, Mr. President. There are a lot of places I would like to be tonight, a lot of votes I would like to cast, and this is not the night and this is not the vote I want to cast. But I know what the choices are. With an "aye" vote I can facilitate an important time-saving, life-saving highway project, cause many to move forward, one of which is called the Warren Street Bypass in Berks County. With a "no" vote, Mr. President, if this does not pass, this project will not move forward and many other projects will not move forward.

The good economic sense of good highways, economic development, is important. The gentleman, Senator Jubelirer, commented extensively on that. I will not repeat those comments. But this is not simply an expenditure, this is not simply spending money, this is investing money on future economic growth, on a better quality of life for those who come after. And, Mr. President, the choice is this simple. Either we will move forward or we will not. Or some people might hope we will move forward on someone else's "aye" vote. So be it.

Now, we heard some discussion about why do not we simply go out and borrow the money? Why do not we just go borrow this money? And of course, to hear the gentleman from Berks talk about borrowing the money puts us right in line

with the public we serve. We all know about credit card debt. It is easy. You just go out and borrow more money and you spend it and you get the project and you do not worry about how you are going to pay for it. Well, Mr. President, this State once had such a crisis. It was the end of the 1970s, and as I am told, the money that came in for highway work was just enough to pay the debts to make the monthly payments and no new work got done. And it took this State a full 8 years to work itself out of it and it took a number of tax increases to work itself out of it, and I, for one, am not going to stand on this floor and vote to put us back into that predicament. We owe more to our children.

If we want roads, we are going to have to pay for them, and there is only one way we can do that, and that is to tax ourselves and to have more money available in the highway fund for highway projects. Mr. President, we have used words like "liberal" and "conservative" in debate on this floor. I am not sure whether we want to say it is liberal or conservative, but I do not think it makes sense to borrow money to build highways when we do not know where we are going to get the money to pay the monthly payments to pay the debt back. There is no free ride and no free lunch.

Mr. President, I support a number of highway projects. One that comes to my mind more than any though is the Warren Street Bypass. I am going to be an "aye" vote.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, first of all, I would like to state that I do not believe any Member on that side of the aisle or this side of the aisle makes a vote to increase taxes upon their constituents without giving serious consideration to that decision and that responsibility. I happen to serve, along with 14 other people, on the State Transportation Commission. All 4 caucus chairmen serve, 10 people appointed by the Governor - 5 Democrats, 5 Republicans - representing different areas of transportation from aviation to the trucking industry and railroads, and so forth, all over Pennsylvania, and the Secretary of Transportation. We go through a process that has been referred to tonight on several occasions called the development of a 12-year plan. Years ago we used to have a 4-year plan and the projects, we got so many of them we had to expand the time period to get them done. But that is what we decided to do.

Now, I have gone to those meetings from Philadelphia in the southeast, all that southeast planning organization, the northeast in the Scranton area, up in Erie in the northwest and Pittsburgh in the southwest. I have literally attended over the years hundreds of meetings. These are held in each PennDOT district and before the Transportation Commission comes people from politics or county commissioners or elected officials, and many Members of the General Assembly from both sides of the aisle are there recommending that certain projects be developed in order to help their economy to improve highway safety. We hear from people in industrial development, we hear from manufacturers how important the road system and those projects and maintenance are to their industry and the people they employ, and we hear from people really about local bus safety and local roads all the way through. Then after

we go through these projects we try to put them in a priority based upon the amount of available funding, the State funding we have available, the Federal funds that are available, and try to come to some reasonable decision to move forward on projects. And literally it is probably about \$12 billion to \$15 billion in the 12-year plan right now from every county and from every municipality, and this is why it is necessary to have the kind of revenue to move forward with these projects, because inflation occurs. The longer you delay these projects the more they cost every year in the estimates, the more money we have to have to build these projects, the bridges, many of them are safety issues. So this is one of the key things to economic development of road programs.

We have talked to people, and everybody on this floor over the years has said they are for jobs. We have the Sunny Day Fund, we have all types of programs and incentives to attract people to Pennsylvania, to bring jobs to Pennsylvania, allow Pennsylvania companies to expand and to hire people, to pay taxes, and to improve the quality of life. The number one thing is the people of Pennsylvania. They are the greatest asset, and to see that they have the proper education and work skills to be able to meet what is needed in the marketplace. But probably the second, and no more than the third, important thing that I hear from the Transportation Commission is I need better access to get my raw materials in, to get my finished products out, to get overnight delivery.

The manufacturing process has changed. It used to be that companies had large warehouses, they brought in their raw material, they manufactured the product and then shipped it out. Now if they are going to make widgets tomorrow morning at 8 o'clock, they want that truck to pull in tonight after midnight to bring that raw material and at quitting time to take that product to the marketplace on the east coast or in the south, or wherever it is going, but we have to have that type of system.

A few years ago in southwestern Pennsylvania we had a survey, it was very important what was needed in our region because we suffered for a long period of time an economic decline. In fact, during the decade of the 1980s when they took a 1990 census, every county in southwestern Pennsylvania and the western half of the State, from Erie to Greene County and from the Ohio line to the middle of the State except Butler County lost people. Everyone lost people, out-migration because of lack of job opportunities. We did a survey in the southwestern area, and looking at Interstate 70, a major highway from the east coast to the west coast, and just looking in that area from St. Louis to Baltimore - Baltimore, D.C., Pittsburgh area, Columbus, Ohio, Indianapolis to St. Louis - every one of those areas was growing and had job opportunities except southwestern Pennsylvania. And one of the great shortages was the lack of a highway system to deliver our products. In fact, Columbus, Ohio, is doing five times better in attracting jobs and investment than Pennsylvania. Why? Because they have not one but two beltways around their city to move people and goods and they have become a major distribution hub in the eastern half of the United States. So funding,

responsible funding, is needed, not projects that do not mean anything.

One of the projects included in this House Bill No. 67 is vital to southwestern Pennsylvania. This General Assembly in 1991 in Act 26 provided part of the funding for the Mon-Fayette Expressway. A highway that goes from the West Virginia line through Fayette County, Uniontown, Brownsville to Interstate 70 in the Mon Valley area, on to Route 51 and into the city of Pittsburgh. This is a project that has been talked about since World War II. It was never built until we put that funding forth 6 years ago, and the funding included in here for this project. If we fail to do that we will see a further decline in that region, in Allegheny County and Westmoreland and Washington and Fayette and Greene Counties, in that whole region, by not having a good transportation system. And I guess it is like the commercials: pay me now or pay me later. If we do not build these kinds of roads in a responsible transportation system, we will pay in other costs, other social costs by not having job opportunities.

So this is important to our region. We have money included here for rail freight assistance. It was described earlier. You all know what is happening with Conrail, it is going to get cut up in pieces between the CSX Railroad and Norfolk Southern. There is money in here, \$8 million, to help because there is going to be a growth of short-line railroads. As these larger railroads maybe abandon some of the track, we will have to save those, and everyone's district could be impacted by what happens in that. So that is why rail freight assistance is important. But I feel overall it is not an easy decision to do that, but the failure to responsibly fund transportation is going to hold Pennsylvania back, prevent us from growing and attracting investment in jobs and we will have a further out-migration of people. We raise our children, we educate our children, we have invested in our children, but if they cannot get jobs in Pennsylvania, they will go somewhere else, whether it is to Atlanta, Georgia, or Texas or California, and will not contribute to the future of this State. So I think this is really an investment in the future of young people of Pennsylvania in providing the kind of highway system, not to mention the safety and many of our highway projects that can be funded out of this House Bill No. 67 will improve the highway safety, the bridge safety in Pennsylvania. So that is why I support that, because I think it is important for the future of Pennsylvania. It is not an easy vote but a responsible vote to fund highway maintenance and highway construction in the Commonwealth.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I got three calls in my office this evening. I got a number of calls, but three specifically that I would like to refer to from constituents, various constituents in my senatorial district, one of the more economically diverse districts in the Commonwealth, and they said, Vince, what is going on in Harrisburg? And I said, well, it looks like we are getting ready to increase the gasoline tax. They said, are you kidding me? Do we not have a \$400 million budget surplus? I said, yeah. I am not kidding you either.

We have a \$400 million surplus. They said, no. You mean we have money sitting in the bank and we are going to ignore the money sitting in the bank and increase the taxes at the pump? That is right, you are going to have to pay more money at the pump.

In 1995 this State had a budget surplus and this State gave all of that budget surplus and a huge corporate tax cut for the largest corporations in this Commonwealth. In 1996, we liked what we did so much in 1995 we repeated it. In 1996, huge budget surplus, and all of that surplus went to a huge corporate tax cut. In 1997, we are repetitive here in this Commonwealth. In 1997, a huge budget surplus. No one disagrees with the budget surplus. A surplus that is approaching over \$400 million. We are also again, as Governor Ridge has proposed, probably going to give a huge tax cut to the top corporations in this Commonwealth, but on top of that, on top of that, we are going to tax middle-class Pennsylvania people. Corporations get another break, they get a tax cut, and the average person, the average person in this Commonwealth goes to the pump and they are going to have to shell out more dollars from their pocket. They get a tax increase. Corporations, a tax cut; average person, a tax increase. Now you tell me that makes sound economic sense.

In the last couple of years in this Chamber and on the other side the Republican mantra was tax cutting is sound economic policy. Now tonight we hear tax increasing is sound economic policy. Sounds a little hypocritical to me. Sounds a little like economic policy for convenience. Well, it will not be convenient for the people who are going to have to pay this. A lot of them lost their jobs as a result of those huge corporate tax cuts over the last couple years. You remember that.

No one disagrees with the need to improve the roads of this Commonwealth. No one disagrees with the need to add more funds to mass transportation. But we are sitting on what is approaching a half-billion dollar budget surplus, and the mantra is to increase on the middle-class people in this Commonwealth. 1995, 1996, 1997 budget surpluses: tax cuts for the big fat cats, tax increases for the average person. Good, sound economic policy.

We have a budget surplus. We need to invest it in people. We do not need to take it out of people's pockets, we need to take that money and invest it in people, and if it is investing it in roads, that is good. If it is investing in highways, that is good. If it is investing in mass transportation, that is good. But do not invest at the cost of the person who is paying at that pump when you have the money sitting in the bank. Cut some of those tax cuts for those big corporate fat cats who have been getting them for the last 3 years. Make them pay a little bit more. Add a little something. Do not put it on the average person. They have to pay the freight in this situation and it is unfair. It is wrong. It is bad economic policy. Not good, sound economic policy, bad economic policy. Give the average person a break. We have the money sitting around. The money is there. Find a way to finance the repair of these projects through the moneys that are available. Do not take a premature tax increase out on them while you let the fat cats get away with murder. But that is I guess in the tradition of what is

occurring by this party, by this Republican-controlled government in this Commonwealth. The fat cats get squared away while everybody else gets hurt. And that is what we are seeing again tonight. I am tired of preaching that sermon. I am tired of preaching that sermon. It is going to come back on some people around here and I hope we wise up.

Thank you, Mr. President.

#### REMARKS SUBMITTED

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

Senator MOWERY. Mr. President, due to the lateness of the hour, I would like to submit my remarks for the record, if I may, please.

The PRESIDENT. Without objection, the Chair would also note that the same request has been made by and on behalf of Senator Fumo, so for Senator Mowery and Senator Fumo those remarks are submitted for the record.

*(The following prepared statement was made a part of the record at the request of the gentleman from Cumberland, Senator MOWERY:)*

Mr. President:

I want to take this opportunity to address the legislation now before the Senate.

It is never easy to vote to increase taxes, especially when there does not seem to be a compelling reason to do so. But sometimes we have to take a look at the long-term implication of not doing what is needed at the time and what that might mean financially to the taxpayers down the road.

I plan to vote for this revenue enhancement package because I believe it is the right thing to do for the future of Pennsylvania.

There can be no question that a solid transportation system is the lifeblood of our economy. Without good roads and passable bridges, the quality of life for our residents will deteriorate. I have heard from many of my constituents about the poor conditions of our roadways, especially our secondary roads that link our interstate highway system. So many of these local roads have cracks and pot holes and the berms are crumbling to the point where public safety is a critical issue.

As our roads carry twice the national average of trucks and suffer from freeze-thaw cycles that continually take their toll each year, we seem to look to "quick-fixes" financially to keep the system from collapsing. Well, in my opinion, we cannot continue to "quick-fix" the problem! By our votes today, we have put in place the financial resources necessary to bring our roads and bridges into the 21st century. From my perspective, that is the bottom line: Investing today, right now, in our future so that Pennsylvania can be a competitor with its neighbors for business and industry.

Mr. President, every penny of this tax will be dedicated for highway-related use. My Senatorial District will receive more money each year for the next five years, with a total increase of about 24 percent over the current funding formula. That is important to me because good transportation yields many benefits: A better quality of life; improved public safety; a foundation for continued development; and a bright future for our children.

*(The following prepared statement was made a part of the record at the request of the gentleman from Philadelphia, Senator FUMO:)*

Senate of Pennsylvania

April 16, 1997

Dear Senator Mellow:

I regretfully send this brief letter to inform you that I am not able to return to Harrisburg soon enough to cast a negative vote against the Governor's \$400 million tax increase plan. You are already well aware of the Commonwealth's current financial position and our burgeoning state surplus now projected to exceed \$1 billion.

**I vehemently object to asking our tax payers to pay even more for this Republican tax plan at a time when the state's fiscal position is so strong.** While we have achieved our fiscal strength in large part at the expense of some of our state's poorest citizens, I find it totally unconscionable that we would now ask working families throughout this state to pay more for something we can clearly afford without new taxes.

I have made many difficult tax votes since I was elected to serve in the Senate. In fact, I never remember voting no on any legitimate tax proposal during the twenty years I have served in this body. But, I can never recall being asked to vote to increase taxes when the state had a substantial surplus.

**This tax and hoard plan of the Ridge Administration is bad policy and bad politics.** It is cruel and unfair to our citizens and a betrayal of the trust they place in us as legislators. I am particularly angered by this Republican tax plan aimed squarely at middle class families most reliant on their cars to provide their livelihood. These are the hard working families who can't afford wealthy tax lawyers to help them skirt their tax burden. They already pay more than their fair share. They shouldn't be asked to pay even more.

I only regret that I can't be on the floor with you tonight to cast my negative vote.

Sincerely,

Vincent J. Fumo  
State Senator  
J.D., M.B.A.

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

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

Senator LOEPER. Mr. President, I think the issue that we have before us tonight is talking about a crucial investment in our transportation system and I think that all the speakers, regardless of their point of view this evening, agree that a good transportation system is the key to a thriving economy in Pennsylvania. And I believe, Mr. President, that well-constructed and well-maintained roads and bridges make a difference, that they represent better quality of life, improved public safety, and a foundation for continued economic development, and transportation, Mr. President, is certainly one of the glues that holds our communities together.

I think, Mr. President, we have heard in debate tonight many issues as far as a surplus, why do we not allocate those dollars rather than to look at a long-term self-sufficient way of funding our highways, but I think, Mr. President, we understand that quick-fixes based on one-time balances in certain funds are certainly not Pennsylvania's answer to meet the growing and long-term transportation funding needs. And I think as some of the previous speakers have mentioned already this evening, we can certainly see the ups and downs as far as the construction and condition of our highways in this Commonwealth.



I believe, Mr. President, that when we talk about building roads we all realize that building and maintaining roads and our infrastructure in Pennsylvania is certainly a costly proposition and one that requires a dedicated investment on the long term. I know that we have heard the arguments by some Members before that we should borrow on the future in order to construct for today. But, Mr. President, all one has to do is just simply look at what the State has to spend in debt service in the next 3 years in order to pay for roads that were constructed 20 years ago. Mr. President, the State is going to have to pay over \$845 million over the next 3 years in debt service for the roads that were built 20 years ago. They are roads that are now in need of repair, renovation, or reconstruction.

I think, Mr. President, as we look ahead, that this issue is one that is critical to move Pennsylvania highways and infrastructure forward. I would just take for a moment, Mr. President, and I rarely talk about my own district in Delaware County, but let me indicate how critical this program is going to be to my own county, particularly to much-needed major arteries in Delaware County, the Route 291 industrial highway project which has been off again, on again, off again, and now is back on again, one that is going to provide a major transportation artery to the Delaware River waterfront along Delaware County's frontage on that river, to our major employers in the County such as Boeing Helicopter, United Parcel Service, Penn Terminals, and particularly provide the link for the revitalization for the city of Chester. I think that these are major infrastructure improvements that are vitally necessary not only for our county but I think as previous speakers have mentioned tonight throughout this Commonwealth, improvements that are going to make a difference in the lives of people we represent.

And, Mr. President, it is with all of that in mind that I believe that we are also making an additional commitment to our mass transit system in this Commonwealth, particularly another \$150 million, \$75 million of which is in dedicated funding on an annual guaranteed basis. Of that new funding for mass transit, over 70 percent of it goes to the city of Philadelphia and the four suburban counties served by the SEPTA system, the Southeastern Pennsylvania Transportation Authority, an agency that is much in need of a new infusion of transit money. And a vote tonight ensures that agency will receive 70 percent of that new \$150 million infusion, along with the Port Authority of Allegheny County, as well as rural and other mass transit agencies through the Commonwealth.

And finally, Mr. President, I would just like to take a moment in closing my remarks to thank particularly the Majority chairman of the Committee on Transportation, Senator Corman, and also the Minority chairman, Senator Stout, because when it comes to transportation issues, these two gentlemen look beyond the partisanship that sometimes exists in this Chamber and work for the good of the people of Pennsylvania, and I commend both of them tonight for their efforts in moving this bill forward and their forward vision for our highway system and infrastructure in the Commonwealth.

Mr. President, I believe that we have a bill before us tonight that is vital for all Pennsylvanians, and I ask for an affirmative vote.

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

Senator HUGHES. One final comment, Mr. President. It is 10 minutes to 12, and all I would say in response to the Senator's comments is to urge my colleagues to use good, sound judgment and to vote against a \$400-million Republican Governor-led tax increase. That is what this is. Please vote against this tax increase.

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

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

YEA-26

Armstrong	Jubelirer	Punt	Tilghman
Brightbill	Kasunic	Rhoades	Tomlinson
Corman	Lemmond	Robbins	Wenger
Delp	Loeper	Salvatore	White
Heckler	Madigan	Stapleton	Wozniak
Helfrick	Mowery	Stout	
Holl	Piccola	Thompson	

NAY-23

Afflerbach	Gerlach	LaValle	Slocum
Belan	Greenleaf	Mellow	Tartaglione
Bell	Hart	Murphy	Uliana
Bodack	Hughes	Musto	Wagner
Costa	Kitchen	O'Pake	Williams
Earli	Kukovich	Schwartz	

The PRESIDENT. On concurrence--

Senator MELLOW. May we go at ease?

The PRESIDENT. --"ayes" 26--

Senator MELLOW. Mr. President, may we go at ease first.

The PRESIDENT. --"nays" 23, the amendments to--  
Senator Mellow.

Senator MELLOW. May we be at ease before you announce the final vote?

The PRESIDENT. I am underway with the announcement.

The amendments to the Senate are--

Senator MELLOW. Mr. President, I asked you--

The PRESIDENT. --concurred in.

Senator MELLOW. --before you made the announcement--

The PRESIDENT. The House will be so advised.

Senator MELLOW. --I had my light on, if we could go at ease before you announced the final vote. My light has been on. If you had looked at it, you would have seen it. That is common courtesy that has been extended here for the entire length of time I have been in this Senate. You can look and get your orders. I just want to go at ease for a moment. That is all. Common courtesy, Mr. President.

The PRESIDENT. The announcement is concluded.

Senator MELLOW. No, the announcement was not concluded when I put my light on. I asked if we could go at ease before you announced the vote. That is common courtesy to either party and it has taken place in here ever since I have been a Member of this Senate.

The PRESIDENT. The announcement is concluded.



Senator MELLOW. The announcement has not been concluded.

The PRESIDENT. The Senate is at ease at your request.

Senator MELLOW. Thank you.

(The Senate was at ease.)

The PRESIDENT. That finishes consideration of today's Calendar.

### BILL SIGNED

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

**HB 67.**

### UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Glenn H. Rojohn by Senator Belan.

Congratulations of the Senate were extended to Seth D. Michaels by Senator Bell.

Congratulations of the Senate were extended to Cary Kolat and to the Lock Haven University by Senator Corman.

Congratulations of the Senate were extended to Alfred R. Burwell by Senator Costa.

Congratulations of the Senate were extended to Anne W. Kinsley by Senator Delp.

Congratulations of the Senate were extended to Andrew Fluegel, Mark Fluegel and to Kevin Wright by Senator Earll.

Congratulations of the Senate were extended to Alex Krywoschjy by Senator Fumo.

Congratulations of the Senate were extended to Robert Furlong and to the Upper Moreland Free Public Library by Senator Greenleaf.

Congratulations of the Senate were extended to Ryan Crouthamel by Senator Heckler.

Congratulations of the Senate were extended to Mr. and Mrs. Jesse L. Weaver, Mr. and Mrs. John C. Briggs and to Mr. and Mrs. Elmer R. Scicchitano by Senator Helfrick.

Congratulations of the Senate were extended to W. Edwin Ebersole and to Grace Emmell Leister by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Lewis Belin, Mr. and Mrs. Howard J. Bush, Mr. and Mrs. John Cragan, Mr. and Mrs. Richard A. Croft, Mr. and Mrs. J. Vernon Dixon, Mr. and Mrs. George Felix, Jr., Mr. and Mrs. Glenn I. Fry, Mr. and Mrs. Mike Himes, Mr. and Mrs. David Bullett, Mr. and Mrs. Donald King, Mr. and Mrs. Mearl Lynn, Mr. and Mrs. Roy E. McCaulley, Mr. and Mrs. Francis W. McClain, Mr. and Mrs. Chester R. McClellan, Jr., Mr. and Mrs. Blair B. Miller, Mr. and Mrs. Dick Mitchell, Mr. and Mrs. William A. Ronk, Mr. and Mrs. George B. Wilson, Jr., and to Mr. and Mrs. Clair Smith by Senator Jubelirer.

Congratulations of the Senate were extended to Michael Giannini by Senator Kukovich.

Congratulations of the Senate were extended to Mr. and Mrs. Teddy Kostrobala by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. John L. Confer, Mr. and Mrs. Walton VanFleet, Mr. and Mrs. Raymond C. Rinker, Mr. and Mrs. Willis Spencer, Greg Lee Campbell, Jason Rogers and to Casey David Townsend by Senator Madigan.

Congratulations of the Senate were extended to Brian W. Rudge by Senator Mowery.

Congratulations of the Senate were extended to Norene Fridinger, Reverend Russell O. Siler and to the Susquehanna Township High School Boys Basketball Team by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Raymond Foose by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Perry Vensel, Mr. and Mrs. Frank J. Mrazik and to Bryan P. Chichy by Senator Stapleton.

Congratulations of the Senate were extended to the Optimist Club of Valley Forge by Senator Tilghman.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Kroll and to the Polish Community of the Lehigh Valley by Senator Uliana.

Congratulations of the Senate were extended to Penn Cambria High School Varsity Cheerleaders, Richland Middle School Cheerleading Squad, Cresson Cheerleaders and to the Bishop McCort High School Varsity Cheerleaders by Senator Wozniak.

### ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Monday, April 28, 1997, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

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