

Legislative Journal

TUESDAY, JUNE 17, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 40

SENATE

TUESDAY, June 17, 1997

The Senate met at 10 a.m., Eastern Daylight Saving Time.

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

PRAYER

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

Let us pray.

O God, in Your economy there is a time on earth for all things. As the writer of Ecclesiastics says, there is a time to plant and a time to reap; a time to destroy and a time to build; a time to mourn and a time to dance; a time to listen and a time to speak; a time to embrace and a time to part. Peculiar to this body, there is a time to be partisan and a time for compromise; a time for working in committee and a time for writing legislation; a time to walk with constituents and a time for work within these halls; a time to enjoy the sanctity of nature; a time to fulfill our roles in this Senate; and a time to strengthen personal and family ties.

As we approach the time for a summer recess, we acknowledge You, O God, Sovereign of the universe, and we pray that in this season You would renew us to the very depths of our being. Amen.

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

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 16, 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.

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:

June 16, 1997

HB 20 -- Committee on State Government.

HB 235 and 1304 -- Committee on Judiciary.

HB 558 -- Committee on Consumer Protection and Professional Licensure.

HB 1303 -- Committee on Agriculture and Rural Affairs.

BILLS INTRODUCED AND REFERRED

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

June 17, 1997

Senators EARLL, MOWERY, THOMPSON, TOMLINSON, HART, DELP and ULIANA presented to the Chair **SB 1005**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, imposing a sanction if a general appropriation bill is not timely enacted.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 17, 1997.

Senators GREENLEAF, HELFRICK and SCHWARTZ presented to the Chair **SB 1028**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, June 17, 1997.

REPORTS FROM COMMITTEE

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

SB 270 (Pr. No. 270) (Amended)

An Act amending the act of July 31, 1968 (P.L.805, No.247), entitled, as amended, Pennsylvania Municipalities Planning Code, further providing for the purpose of the act; adding certain definitions; further providing for various matters relating to the comprehensive plan and for compliance by counties; providing for funding for municipal planning; providing for neighboring municipalities, for infrastructure and public services and for county review; further providing for certain ordinances; and adding provisions relating to projects of regional impact.

SB 382 (Pr. No. 397)

An Act amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, Second Class County Code, providing counties of the second class A with the power to make grants to townships, boroughs and nonprofit corporations for parks, recreation areas, open space projects and such other outdoor projects and for historic and museum projects.

SB 383 (Pr. No. 435) (Amended)

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, providing for the abolition of jury commissioners.

SB 894 (Pr. No. 967) (Amended)

An Act amending the act of May 2, 1945 (P.L.382, No.164), entitled Municipality Authorities Act of 1945, further providing for the purposes of an authority.

HB 196 (Pr. No. 219) (Amended)

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, providing for additional fees; and creating a Recorder's Fund.

HB 231 (Pr. No. 253)

An Act amending the act of May 16, 1921 (P.L.579, No.262), referred to as the County Prison Board Law, further providing for the board of prison inspectors; and making editorial changes.

RESOLUTION REPORTED FROM COMMITTEE

Senator GERLACH, from the Committee on State Government, reported the following resolution:

HR 167 (Pr. No. 1773)

A Concurrent Resolution requiring creation of a task force to study the cost, effectiveness and equity of alternative means of providing law enforcement within Commonwealth municipalities.

The PRESIDENT pro tempore. The resolution will be placed on the Calendar.

LEGISLATIVE LEAVE

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

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

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

LEAVE OF ABSENCE

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

CALENDAR**HB 1160 CALLED UP OUT OF ORDER**

HB 1160 (Pr. No. 1981) -- Without objection, the bill was called up out of order, from page 5 of the Third Consideration

Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1160 (Pr. No. 1981) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "enforcement officer" for purposes of State employees' retirement; and providing for the establishment and treatment of a special vestee classification to cover certain employees affected by mergers in the medical treatment fields.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ALLYSON Y.
SCHWARTZ PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I would like to introduce a young man who is visiting with me today. His name is Kyle Lawton and he lives in Mount Airy right in my district, in fact, just a few steps from my office. He is a fifth grader at the William Penn Charter School, not a charter school as we know it but actually a private independent school in Philadelphia.

He is here with his mom, Rachel Lawton, and they actually purchased a day with me at an auction on behalf of Big Sisters of Philadelphia, and they are here trying to learn a little something about State government. I just want to mention as well that Kyle is a pitcher and first baseman with his Little League team, and he likes video games and was interested in spending

the day here. His mom is Deputy Director of Compliance with the Philadelphia Human Relations Commission, and I hope that my colleagues will join me in welcoming Kyle Lawton and his mom, Rachel Lawton.

Thank you very much.

The PRESIDENT pro tempore. Would Senator Schwartz's guests kindly rise so that the Senate may give you a warm welcome.

(Applause.)

The PRESIDENT pro tempore. We welcome you to the Senate of Pennsylvania.

LEGISLATIVE LEAVES

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

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

The PRESIDENT pro tempore. Senator Mellow requests a temporary Capitol leave for Senator Stout, and a legislative leave for Senator Williams. Without objection, those leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

SB 316 CALLED UP OUT OF ORDER

SB 316 (Pr. No. 320) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 316 (Pr. No. 320) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), entitled Municipal Waste Planning, Recycling and Waste Reduction Act, continuing authorization for the recycling fee.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-48

Table with 4 columns of names: Afflerbach, Armstrong, Belan, Bell, Bodack, Brightbill, Corman, Costa, Delp, Earll, Fumo, Gerlach, Greenleaf, Hart, Heckler, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Loeper, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Piccola, Punt, Rhoades, Robbins, Salvatore, Schwartz, Slocum, Stapleton, Stout, Tartaglione, Thompson, Tilghman, Tomlinson, Uliana, Wagner, Wenger, Williams, Wozniak.

NAY-1

White

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

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

The PRESIDING OFFICER (David W. Heckler) in the Chair.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator SALVATORE,

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

Which was agreed to.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

June 2, 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, Patrick J. Stapleton, III, 936 Philadelphia Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday in May 2000, vice Oliver L. Slinker, Harrisburg, whose term expired.

THOMAS J. RIDGE Governor

On the question,

Will the Senate advise and consent to the nomination?

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

YEA-48

Table with 4 columns of names: Afflerbach, Armstrong, Belan, Bell, Bodack, Brightbill, Corman, Costa, Delp, Earll, Fumo, Gerlach, Greenleaf, Hart, Heckler, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Loeper, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Piccola, Punt, Rhoades, Robbins, Salvatore, Schwartz, Slocum, Stout, Tartaglione, Thompson, Tilghman, Tomlinson, Uliana, Wagner, Wenger, White, Williams, Wozniak.

NAY-0

A constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table the nomination of Luke F. Brubaker for the Milk Marketing Board, and ask for an affirmative vote.

The Clerk read the nomination as follows:

MEMBER OF THE MILK MARKETING BOARD

June 2, 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, Luke F. Brubaker, 740 Union School Road, Mount Joy 17552, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Milk Marketing Board, to serve until May 1, 2003 and until his successor is appointed and qualified, vice Leon H. Wilkinson, Landenberg, whose term expired.

THOMAS J. RIDGE
Governor

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

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

YE A-49

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

NAY-0

A constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table the nomination of Harrijane Hannon for Register of Wills and Clerk of Orphans' Court, McKean County, and ask for an affirmative vote.

The Clerk read the nomination as follows:

REGISTER OF WILLS AND CLERK OF ORPHANS' COURT, MCKEAN COUNTY

June 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harrijane Hannon, 33 Sanford Street, Bradford 15701, McKean County, Twenty-fifth Senatorial District, for appointment as Register of Wills and Clerk of Orphans' Court, in and for the County of McKean, to serve until the first Monday of January 1998, vice Carol P. Christensen, resigned.

THOMAS J. RIDGE
Governor

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

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

YE A-29

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

NAY-20

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

Less than a constitutional two-thirds majority of all the Senators having voted "aye," the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table the nomination of Samuel E. Hayes, Jr., for Secretary of Agriculture.

The Clerk read the nomination as follows:

SECRETARY OF AGRICULTURE

June 2, 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, Samuel E. Hayes, Jr., P. O. Box 120, Warriors Mark 16877, Huntingdon County, Thirtieth Senatorial District, for appointment as Secretary of Agriculture, to serve until the third Tuesday of January 1999 and until his successor shall have been

appointed and qualified, vice The Honorable Charles C. Brosius, West Grove, resigned.

THOMAS J. RIDGE
Governor

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

The PRESIDING OFFICER. On the nomination of Samuel Hayes to be Secretary of Agriculture, the Chair recognizes the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, before we vote on confirmation, I want to say a few words about the nominee, who is a constituent, a friend, and someone for whom I have the absolute deepest regard. Few individuals nominated for State office have the combination of talent and experience that Sam Hayes does. Sam's career reflects an incredible record of public and community service in education, in the military, and in elective office.

Those of us who worked with Sam during the 22 years he served in the House of Representatives, and we had the distinction in the early 1980s when he was Majority Leader of the House and I was Majority Leader of the Senate and we were both from Blair County, Pennsylvania, as well as the many years that he spent in all of his leadership positions, know about the intensity and the honor that he brings to any assignment, his dedication to doing the job right, and his ability to cut through politics and bureaucracy to achieve what is necessary for people. His reputation and character were evident as he received bipartisan praise last week from the Members of the Senate Committee on Agriculture.

In the short time he has been in the Department of Agriculture, Sam has displayed his usual no-nonsense, no-hesitation way of confronting responsibility. He walked in the front door to be greeted by a crisis of avian influenza. He has responded with decisive action, the same kind of approach he will take whether the challenge involves solving problems or seizing opportunities to advance agriculture and agribusiness.

Sam is not a bureaucrat, so I think we can count on seeing some real changes in how the department operates and a much needed concentration on productivity. The Agriculture Secretary must be more than a glad-hander at affairs or a regulatory paper processor chained to a desk. We need someone who will provide leadership, leadership toward increasing exports, boosting the marketing of Pennsylvania products, preserving farmland, and encouraging young people to have the same commitment to agriculture that their families have had for generations and what Sam Hayes had as a young man.

I have every confidence, Mr. President, that Sam Hayes is going to be an outstanding leader in agriculture, and that is exactly what we should provide to Pennsylvania's number one industry. Mr. President, I am deeply honored to be able to make these remarks about someone I believe is an outstanding Pennsylvanian who, once again, comes back to Pennsylvania and State government to offer public service.

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Delp.

Senator DELP. Mr. President, I wanted to rise today to add my voice of support for the nomination of Samuel Hayes. As chairman of the Committee on Agriculture and Rural Affairs, Sam Hayes, of course, came through our committee during his confirmation process. Currently, the Commonwealth has a number of problems facing it with respect to the agriculture community, among them certainly the avian flu epidemic that is currently in Lancaster County, but we are also facing problems within our dairy industry as the people involved in that industry face an almost all-time low pricing for their milk, and Sam Hayes comes to the Department of Agriculture with a unique knowledge. He has a working knowledge of these issues and will be able to jump right in and tackle these issues head-on, and I encourage all of my colleagues in the Senate today to confirm Sam Hayes as Secretary of Agriculture.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I rise to support the nomination of Samuel Hayes. I had the opportunity to serve with him in the House, and although I came from the other side of the aisle, he treated everyone with a very even and fair hand. He is an excellent administrator and has much knowledge from his military career in how systems operate. I think coming from west central Pennsylvania he has an in-depth knowledge of agribusiness, and I think he will be an excellent asset to this administration. He has the ability to reach across the political aisles and I think has the vision to take this Commonwealth into the 21st century. He is a fervent patriot and also has a very deep love for the well-being of this Commonwealth and her people, and I want to rise to add my voice here for the record on behalf of Samuel Hayes and his nomination.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Indiana, Senator Stapleton.

Senator STAPLETON. Mr. President, as Minority chairman of the Committee on Agriculture and Rural Affairs, I just want to express my sincere best wishes to Sam Hayes. He was in front of our committee, and I, too, worked with him many, many years when he was in the House of Representatives. There is no question in my mind that the Governor certainly sent over the right name to be the Secretary of Agriculture, and speaking for all the Democrats over here, we fully support him and will work with him and help him to be one of the best Secretaries that this Commonwealth has ever had.

Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Wenger.

Senator WENGER. Mr. President, Sam Hayes is an excellent choice for the position of Secretary of Agriculture here in Pennsylvania. He has the right background, he has the experience, he has the contact with the agriculture and agribusiness community. He is the kind of person who can lead the Department of Agriculture in serving all the people of Pennsylvania -those who produce the food, those who process the food, and those who consume the food. He is a fine gentleman, and I am pleased to lend my support to his confirmation.

Thank you, Mr. President.

The PRESIDING OFFICER. As a consumer, I thank the gentleman for his remarks, and recognize the gentleman from Philadelphia, Senator Salvatore.

Senator SALVATORE. Mr. President, I, too, had the privilege of serving with Sam Hayes and served in leadership with Sam Hayes. The opening prayer today was about time, and time was mentioned so many times, and I think time is what was needed today in getting Sam Hayes to accept this, to come back out of retirement. We need Sam Hayes, we need people of his integrity, and I just commend the Governor for sending his name over, and it is time, the right person to do the job at the right time.

Thank you, Mr. President.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEA-49

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

The PRESIDING OFFICER. Having also served under the leadership of Representative Hayes, I am happy to announce that the nominee is confirmed and that the Governor will be so advised.

NOMINATION TAKEN FROM THE TABLE

Senator SALVATORE. Mr. President, I call from the table the nomination of Samuel A. McCullough for Secretary of Community and Economic Development, and ask for a "yes" vote.

The Clerk read the nomination as follows:

SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT

May 13, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel A. McCullough, Old Lauer's Lane, Wyomissing 19610, Berks County, Forty-eighth

Senatorial District, for appointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 1999 and until his successor shall have been appointed and qualified, vice The Honorable Thomas B. Hagen, Erie, resigned.

THOMAS J. RIDGE
Governor

On the question,

Will the Senate advise and consent to the nomination?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Franklin, Senator Punt.

Senator PUNT. Mr. President, we have before us this morning the nomination of Samuel A. McCullough to serve as Secretary of the Department of Community and Economic Development. I believe that Governor Ridge, in his nomination of Sam McCullough, displayed great wisdom and vision for Pennsylvania, wisdom by drawing upon the experience of Sam McCullough, and vision by Sam's ability and leadership in providing direction in the course of achieving economic development and growth.

Sam McCullough comes before us today with a background that I believe makes him uniquely qualified to serve in the position as Secretary of the Department of Community and Economic Development. During his 40-plus years in the banking community, he has established a record of understanding and has demonstrated his commitment to community and economic development. Under Sam McCullough's leadership and management, Meridian Bank has been repeatedly recognized for their efforts in community reinvestment, participation in small business lending programs, and commitment to downtown revitalization. He has also demonstrated his commitment to civic and cultural activities by actively serving as a trustee or director on numerous boards.

Mr. President, during Mr. McCullough's confirmation hearing several weeks ago, he outlined a six-point program that I believe provides a solid blueprint for economic development here in Pennsylvania. Taking the hands-on approach with economic development with our number two leading industry and our economic base statewide, that of tourism, looking at our downtown communities and revitalization, and as we are starting off the new fiscal year with the Community Development Bank Program, Sam McCullough's leadership shall provide that direction that we dearly need. Additionally, we have not begun to tap the potential of exports here in Pennsylvania. Sam McCullough and his leadership with that department, with the new export financing program, will indeed provide that means.

Mr. President, because of his leadership, vision, experience, integrity, and hands-on approach, I believe Sam McCullough is the right person for the right job at the right time. I would ask the Senate to advise and consent and to cast a favorable vote for Sam McCullough as our next Secretary of Community and Economic Development.

Thank you, Mr. President.

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

Senator BRIGHTBILL. Mr. President, I rise briefly to support the nomination of Samuel McCullough. Mr. McCullough

lives in Berks County, he lives in a portion of the area that I am fortunate to represent. I have known Sam McCullough for the entire period of time that I have been both a Senator and a candidate for the Pennsylvania Senate. He came to Berks County not that many years ago and became president of American Bank, which had \$1 billion in assets. When that bank, then known as Meridian, merged with CoreStates, the assets totaled \$16 billion.

When you say the name "Sam McCullough" in Berks County, what you are saying can be defined with one word, and that word is progress. Sam stands for progress, he stands for economic development, and he stands for solid management, and besides that he is just a darned nice person to be around. When you combine those business skills with those personal skills, you end up with an outstanding nominee, and I think that Pennsylvania is very fortunate to have Sam McCullough accept this position, and I would urge an affirmative vote.

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

Senator BELL. Mr. President, I sat through the confirmation hearings, and I have heard today, I have heard in caucus, and I have heard in the hearings of the tremendous qualifications of Mr. McCullough. And I am going to take another slant: the needs in the Commonwealth.

Our Commonwealth is in a period of transition. I think this Senate had a lot to do with where we are going when the legislation was passed, the brownfield legislation, that permits the revitalization of the older industrial areas. Our Commonwealth has a tremendous problem with growth being in certain parts and the people being elsewhere. My district, I have in one part an economic disaster area which once was one of the biggest producing centers of the Commonwealth, I am talking about the lower Delaware Valley. My district also includes the great growth of Chester County.

So here we have a man so well recommended that he seems to be the person we need right now to bring his know-how and his leadership to do that tremendous task of melding together the people of Pennsylvania and the jobs of Pennsylvania. And I stand strongly behind him because he not only has the know-how, he has the guts to do it and he has the leadership, and Pennsylvania needs a man like this.

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

Senator O'PAKE. Mr. President, I also rise to urge my colleagues on this side of the aisle, the Democratic side, to vote for the nomination of Sam McCullough as Secretary of the Department of Community and Economic Development. I have been very impressed with Sam McCullough, his business skills, his commitment to our community ever since he came to Reading in 1978 as president and CEO of our major bank, then American Bank, which became Meridian Bank, which is now CoreStates.

Sam McCullough is a man of action, a man of vision, a man who gets things done, a man who cares about our communities, our inner cities, a man who realizes that community

development and economic development go hand in hand. He is the right man for this job, and I am certain that he will bring to this important cabinet position the leadership skills and the political savvy needed to bring jobs to Pennsylvania and to help rebuild our communities.

Thank you, Mr. President.

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

Senator HOLL. Mr. President, I am delighted to stand here today and join with my colleagues in strongly supporting the Governor's nomination of Sam McCullough to this very important position. I learned to know Sam McCullough in different ways. As the chairman of the Committee on Banking and Insurance, I learned to know him on banking matters, and I learned to know of his considerable experience in the field and his willingness to be a leader in that area whenever needed on legislation. He certainly is experienced in the field of finance.

He is a leader in his community activities outside of the financial area, having been very active in serving others, and I particularly want to commend him for his lifetime of service to youth through the Boy Scouts of America. I particularly want to mention the fact that he is always willing and able and ready to serve others, and I strongly urge his support.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEA-49

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

COMMUNICATIONS FROM THE GOVERNOR

RECALL COMMUNICATIONS
LAID ON THE TABLE

The PRESIDING OFFICER 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 COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 17, 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 March 25, 1997 for the reappointment of Frank J. Jakovac, 3875 Grove Road, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, as a member of the Council of Trustees of Edinboro 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.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
GAME COMMISSION

June 17, 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 March 26, 1997 for the appointment of Stephen L. Mohr, Sr. (District 6), P. O. Box 103, Bainbridge 17502, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Roy J. Wagner, Jr., York, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
HARRISBURG STATE HOSPITAL

June 17, 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 March 24, 1997 for the appointment of Mark Navarro, 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Arthur S. Foreman, Harrisburg, resigned.

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

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS,
LEHIGH COUNTY

June 17, 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 April 1, 1997 for the appointment of Robert L. Steinberg, Esquire, 781 Parkway Road, Allentown 18104, Lehigh County, Forty-eighth Senatorial District, as Judge of the Court of Common Pleas of Lehigh County, to serve until the first Monday of January 1998, vice The Honorable James N. Diefenderfer, resigned.

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

THOMAS J. RIDGE
Governor

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

June 17, 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 March 25, 1997 for the reappointment of Ronald H. Jury, 400 Montrose Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, 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.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE

June 17, 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 March 18, 1997 for the appointment of Mark Campbell, 54 Parker Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period, pursuant to Act 164, approved December 18, 1996.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

June 17, 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 April 1, 1997 for the appointment of Nolan Kurtz, 1008 North Third

Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Montgomery, Magisterial District 38-1-12, to serve until the first Monday of January 1998, vice Richard E. Evans, resigned.

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

THOMAS J. RIDGE
Governor

COMMUNICATIONS FROM THE GOVERNOR TAKEN FROM THE TABLE

Senator SALVATORE, by unanimous consent, called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

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

June 17, 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 March 25, 1997 for the reappointment of Frank J. Jakovac, 3875 Grove Road, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, as a member of the Council of Trustees of Edinboro 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.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 17, 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 March 26, 1997 for the appointment of Stephen L. Mohr, Sr. (District 6), P. O. Box 103, Bainbridge 17502, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Roy J. Wagner, Jr., York, whose term expired.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

June 17, 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 March 24, 1997 for the appointment of Mark Navarro, 4184 Kittatinny Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Arthur S. Foreman, Harrisburg, resigned.

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

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS, LEHIGH COUNTY

June 17, 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 April 1, 1997 for the appointment of Robert L. Steinberg, Esquire, 781 Parkway Road, Allentown 18104, Lehigh County, Forty-eighth Senatorial District, as Judge of the Court of Common Pleas of Lehigh County, to serve until the first Monday of January 1998, vice The Honorable James N. Diefenderfer, resigned.

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

THOMAS J. RIDGE
Governor

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

June 17, 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 March 25, 1997 for the reappointment of Ronald H. Jury, 400 Montrose Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, 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.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE

June 17, 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 March 18, 1997 for the appointment of Mark Campbell, 54 Parker Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Board of Probation and

Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period, pursuant to Act 164, approved December 18, 1996.

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

THOMAS J. RIDGE
Governor

DISTRICT JUSTICE

June 17, 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 April 1, 1997 for the appointment of Nolan Kurtz, 1008 North Third Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as District Justice, in and for the County of Montgomery, Magisterial District 38-1-12, to serve until the first Monday of January 1998, vice Richard E. Evans, resigned.

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

THOMAS J. RIDGE
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

The motion was agreed to.

The PRESIDING OFFICER. The nominations will be returned to the Governor.

EXECUTIVE SESSION RISES

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

The motion was agreed to.

SPECIAL ORDER OF BUSINESS GUEST OF SENATOR JEFFREY E. PICCOLA PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I would like to take this opportunity to introduce a young man in the gallery who has been serving as my summer intern, Mr. Joshua Wilson. He is a graduate of Susquehanna Township High School, which is also my alma mater, and he is presently a political science major at Millersville University. He has been working in my office as an intern for the past few weeks doing an exemplary job, and I would be most grateful if the Senate would welcome him to the gallery this morning.

The PRESIDING OFFICER. Would the guest of Senator Piccola please rise so that the Senate may extend to you its usual warm welcome.

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

Without objection, the following bills were called up out of order by Senator LOEPER, as Special Orders of Business.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 337 (Pr. No. 1483) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 27, 1955 (P.L. 744, No. 222), known as the Pennsylvania Human Relations Act, defining "advertisement" and "advertiser"; and providing for certain forms of advertisement, for limitations and for civil penalties.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 506 (Pr. No. 533) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L. 932, No. 317), entitled The Third Class City Code, defining delinquent local taxes as thirty days after the final deadline for paying the taxes.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Northampton, Senator Uliana.

Senator ULIANA. Mr. President, Senate Bill No. 506 represents the first of what I believe to be 11 bills on our Calendar today which blaze a new path for urban policy in Pennsylvania.

nia. I would like to thank Senator Piccola, Senator Brightbill, and Senator Mellow, whose bills will be going out of the Senate today, as well as the appropriate staffs of those Members who worked very hard on those bills. In the past we always looked to Washington and the Federal bulldozer to come and solve our urban policies with large, expansive building projects. We have seen that over the last 25 years, the last 30 years, this policy has failed. Today, with the adoption of these bills, the Senate of Pennsylvania makes a statement for responsibility.

Two years ago, Mr. President, we adopted very tough standards to allow landlords to deal with tenants who do not pay their bills, who destroy the rental properties in which they live, because those tenants bear responsibility for making sure that our urban communities have a good housing stock. Today, with this legislation that we will pass, we will begin to put a measure of responsibility on the landlord, to ensure that the properties that they own and the properties that they lease out to people are well maintained and that the people who oftentimes live far outside the communities of the properties that they own will bear a responsibility for keeping a high standard of maintenance.

Mr. President, I live in the city of Bethlehem, and I know what can happen when you get a couple of bad housing units in a community. That area of the community goes down, the property values go down, crime goes up, and people just do not want to live there. If we are ever going to solve Pennsylvania's urban problems, we need to have a good, strong housing stock. This legislation, the 11 bills which we have, will make a strong step toward building and rebuilding the housing stock in Pennsylvania's urban communities.

I urge the support for all of these bills by my colleagues, and again I thank the Members and staffs who have worked so hard on this package.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 509 (Pr. No 536) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, repealing provisions relating to redemption of lands by owner or anyone interested in said lands.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 510 (Pr. No. 1203) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, Real Estate Tax Sale Law, defining "delinquent" taxes; and requiring successful bidders of property subject to sale to provide a certification that they do not have delinquent real estate taxes or municipal utility bills that are more than one year outstanding.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earl	LaValle	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	Stout	

NAY-0

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

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

SB 512 (Pr. No. 541) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 539 (Pr. No. 1204) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring purchasers of real estate with buildings thereon to bring the buildings into compliance with municipal codes; and imposing penalties.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Hart.

Senator HART. Mr. President, I rise regarding this bill and several of the bills in the package about which Senator Uliana, the gentleman from Northampton, briefly spoke earlier.

Mr. President, I was very involved in some debate regarding these bills earlier this year as vice chairman of the Committee on Urban Affairs and Housing and also part of the hearings, and I believe that those who have sponsored these bills certainly do intend to correct a wrong that certainly does exist in the Commonwealth. It is clear that in many of our cities some landlords are not properly taking care of property, and unfortunately, Mr. President, that has caused some hardship for tenants of those areas and also for neighbors of those properties, and I understand that there are some wrongs that these bills are attempting to address.

However, Mr. President, I believe some of the language in these bills is a bit heavy-handed. That is, Mr. President, a lower income individual within these cities may actually intend to keep the property in as good a condition as they possibly can but still fail perhaps to keep their building in compliance with the code within a year after they have received notification. Often, Mr. President, this is due to simple economics. Many property owners in our cities simply do not have the economic wherewithal to keep some of their buildings in the proper condition or what most would consider up to code.

Now, Mr. President, with these bills, we do allow these cities to levy up to 10,000 dollars' worth of fines against these property owners. Mr. President, there is no requirement that these buildings be 100-unit apartments or 5-unit apartments. So, Mr. President, I am just bringing this concern up to my colleagues so that we can watch carefully after these bills are implemented to see what happens and how heavy-handed some of these code enforcement officers are in the cities across the Commonwealth.

I am going to support these bills, Mr. President. I am supporting the whole series of bills because I believe that the sponsors did intend to do something that is needed in this Commonwealth, that is make sure that our buildings are safe, that the tenants in those buildings are safe, and also that the property values of their neighbors are especially protected, and I think those are very important concerns. However, Mr. President, I would hope that my colleagues will, as I will, watch what happens in reality in our communities to make sure that we are not scaring people in the Commonwealth and preventing them or prohibiting them from purchasing properties in the first place. We hope they will buy and attempt to renew and help in the urban revitalization of many of the communities across the Commonwealth.

Therefore, Mr. President, again with concern, I will vote "yes" on these bills, but I hope that my colleagues will watch how they really work and we may be addressing this issue again in the future.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair thanks the gentleman from Allegheny for her admonition, and recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I am not going to go on at length about these particular bills, but I would suggest that they are extremely important. I think that if we took a fair evaluation of the General Assembly and its dealing in this particular area, we would find that the General Assembly has somehow fallen behind the curve.

Interestingly, about a year, a year and a half ago, Senator Uliana, Senator Piccola, and myself, along with some others, became very interested in this area as it became clear that our third class cities needed additional tools. There were many, many problems confronting the third class cities, and many of these problems dealt with the fact that we had ownership of buildings by absentee owners. These buildings were neglected and left in a terrible fashion, and meanwhile other people in the neighborhood were suffering. It is part of a bigger picture, and what we found was that while there were tools available, there were not adequate tools available.

What we are attempting to do here, Mr. President, is to make it possible for any municipality that has these kinds of problems to have a number of weapons at their disposal in order to solve these problems. One of the difficulties that we are dealing with here, Mr. President, is that we are not just simply dealing with laws, but we are dealing with what is really happening in the marketplace out there. There has been some analysis done, and the unfortunate thing we have learned is that if code enforcement is too tough, there is no question that can lead to abandonment of properties. On the other hand, if code enforcement is too lax, once again that can lead to abandonment of properties. What we are attempting to do here, Mr. President, is give municipalities the tools so that they can strive to strike the proper balance.

I would note here, Mr. President, that our declining cities are not always the fault of the municipality, and in many instances, despite the fact that they have worked very hard at code enforcement, the economics and the market and the perceptions are driving cities in the wrong direction. We need to do our share to reverse this. One of the things that is ironic about Pennsylvania law is that if someone comes in and buys a property in a municipality, owns that property for a period of time, so to speak milks that property, takes out everything he or she can, and then wants to get rid of that property, if the individual cannot sell the property, all they do to get rid of the property is not pay their real estate taxes. And the only real sanction on not paying your real estate taxes is that you get your name in the newspaper. In a small community, it makes it quite an impact. In a big community, I am sure most people do not notice.

Mr. President, I am not going to stand here and say that what we are doing is perfect and I am not saying that we are going to be able to pass these bills and then forget about this problem. I think that the General Assembly passing these bills is an important step, and what we are going to have to be doing is work with our communities closely to provide them with proper tools so that people will come in and own proper-

ties in these areas, because, frankly, that is the key to success. I ask for an affirmative vote on this package.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Venango, Senator White.

Senator WHITE. Mr. President, Senator Brightbill has done such an eloquent job of saying what I was going to say that my remarks are going to be very short. I simply want to address the comment that this might be a heavy-handed approach, with specific reference to Senate Bill No. 539, which is before us at this moment. The requirement for substantial violations is that the owner or purchaser of a lot, parcel, or building make a reasonable attempt to abate the nuisance within 1 year of the date of purchase. I hardly think that is heavy-handed, Mr. President. I think that is the least they can do. We are not putting an unreasonable burden on a poor person who cannot completely cure all violations. We are simply saying that an owner of property must, within 1 year, make a reasonable attempt to cure those violations.

On behalf of the citizens of the city of New Castle who appeared at a public meeting and begged us to give them tools to deal with blight and this type of situation in their neighborhoods, I am urging that we vote "yes" on this package of bills.

Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Hart.

Senator HART. Mr. President, briefly, I agree with the gentlewoman from Venango regarding Senate Bill No. 539. Because of the involvement and negotiations that took place regarding these bills, that bill was improved. However, other parts of the package do not place as light a burden on the owner of the property and actually require abatement of the nuisance within a couple of years of purchase or within a couple of years of notice.

Again, Mr. President, this may turn out, in reality, to be a very fair level, and I expect and hope that it will. But again, I expect also to watch what happens in reality in our third class cities, and I hope that these bills do not discourage people who do not have a lot of money from entering into ownership agreements and purchases of property within our cities.

Thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

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

YEA-49

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

Gerlach Madigan Stapleton
Greenleaf Mellow Stout

NAY-0

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

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

SB 540 (Pr. No. 569) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, Real Estate Tax Sale Law, further providing for limitations on owners and for purchases from the repository for unsold property.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 541 (Pr. No. 1205) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 542 (Pr. No. 1206) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 15, 1957 (P.L.901, No.399), entitled Optional Third Class City Charter Law, providing for fines and penalties.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 763 (Pr. No. 1156) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to the rights of purchasers and lessees of defective new motor vehicles; creating a motor vehicle arbitration board;

imposing obligations, duties of refund and replacement; making an appropriation; and making a repeal.

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

On the question,
Shall the bill pass finally?

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

Senator GREENLEAF. Mr. President, I rise to indicate that this is a bill I introduced to rewrite the automobile lemon law. It increases the protections for consumers. It raises the time and the mileage during which an individual can make a claim. It expands the types of vehicles that are covered, including leased vehicles, which the old law did not, and also establishes a State arbitration board under the Attorney General's Office, which will be a much more independent and impartial board. I think it is a bill that will help the consumer when they buy an automobile that turns out to be a lemon, and I urge a favorable vote.

Thank you.

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

Senator BELL. Mr. President, I strongly support this bill. What Senator Greenleaf went a little too fast on is it covers leased vehicles. The lemon law today does not cover leased vehicles. Many, many of our neighbors today are leasing vehicles rather than buying them, and if they put a lot of money into an obligation and lease this vehicle and it turns out to be a lemon, they are in bad trouble. And I compliment Senator Greenleaf on leading this fight so that all of our neighbors can be protected.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 861 (Pr. No. 1207) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for restrictions on purchases of real property in second class A cities.

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 862 (Pr. No. 1069) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1937 (P.L.313, No.87), entitled, as amended, "An act to enable cities of the first, second, and second class A, incorporated towns, boroughs, and townships, to govern and regulate by ordinance the construction, alteration, repairs, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use and inspection of all buildings and housing and land appurtenant thereto;....," providing for compliance with building codes in second class A cities; and imposing penalties.

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

On the question,
Shall the bill pass finally?

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

YEA-49

Afflerbach	Hart	Mowery	Tartaglione
Armstrong	Heckler	Murphy	Thompson
Belan	Helfrick	Musto	Tilghman
Bell	Holl	O'Pake	Tomlinson
Bodack	Hughes	Piccola	Uliana

Brightbill	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wenger
Costa	Kitchen	Robbins	White
Delp	Kukovich	Salvatore	Williams
Earl	LaValle	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	Stout	

NAY-0

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

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

SB 864 (Pr. No. 1208) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing cities of the second class A to impose property maintenance ordinances.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 965 (Pr. No. 1209) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing cities of the first class to impose property maintenance ordinances.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 987 (Pr. No. 1110) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity for antidrug and town-watch volunteers.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

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

**HOUSE CONCURRENT RESOLUTION
No. 167, ADOPTED**

Senator LOEPER, without objection, called up on Supplemental Calendar No. 1, **House Concurrent Resolution No. 167**, entitled:

A Concurrent Resolution requiring creation of a task force to study the cost, effectiveness and equity of alternative means of providing law enforcement within Commonwealth municipalities.

On the question,
Will the Senate concur in the resolution?

Senator LOEPER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 167.

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

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

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

CONSIDERATION OF CALENDAR RESUMED

**RESOLUTION ON CONCURRENCE
IN HOUSE AMENDMENTS, ADOPTED**

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Concurrent Resolution No. 28**, entitled:

A Concurrent Resolution urging Congress to immediately review the Federal Unified Gift and Estate Tax and to act either to repeal the law, or to give special exemptions to family owned farms and businesses, or to raise the unified credit against the Gift and Estate Taxes, or to defer estate tax payments over a period of time.

On the question,
Will the Senate concur in the amendments made by the House?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House.

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

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

Senator COSTA. Mr. President, I rise today in support of Senate Resolution No. 28, which deals with the Federal estate tax and urges Congress and the United States government to essentially increase the special exemption to family-owned farms and businesses, or to raise the unified credit against the gift and estate tax, or to defer estate tax payments over a period of time. Mr. President, I think it is a very, very good idea and something we need to address at the Federal level.

Mr. President, I also think that we need to address this issue of inheritance tax in Pennsylvania. For the past several years, Mr. President, I have introduced legislation that would create a \$100,000 exemption to the Pennsylvania inheritance tax. This body has heard me talk about this particular tax, as I deem it or view it to be an unjust, inequitable, and confiscatory type of tax, and I have also mentioned that it amounts to triple taxation. While we are addressing this issue and urging Congress to take a look at the unified credit tax laws, I am hoping that this body would also take a look at some of the legislation that is pending with respect to the Pennsylvania inheritance tax.

Last year about this time I stood in Petitions and Remonstrances and made comments with respect to legislation. To this point in time the only thing that has been done, Mr. President, is that we have addressed this issue in the Committee on Finance, where we unanimously reported out an amendment to my particular legislation, and my hope is that we go a step further this time. That particular amendment was ultimately taken out of the actual tax cut package we prepared and ultimately passed in this body. But I think while we are urging Congress to look at the Federal estate tax, that we need to talk to our people and our constituents and to make certain that we understand what their cry is, and their cry is that they do not want to pay Pennsylvania inheritance tax any longer. It is an unfair and an inequitable tax, and we, as a body, should start to take a look at that and support legislation along those lines.

I thank you very much for the opportunity to speak regarding this resolution, and I support it.

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

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

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

SENATE RESOLUTION No. 49, ADOPTED

Senator LOEPER, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 49**, entitled:

A Resolution honoring the Blinded Veterans Association of Pennsylvania, Inc., upon the occasion of its 50th anniversary on June 28, 1997.

On the question,
Will the Senate adopt the resolution?

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

**HOUSE CONCURRENT RESOLUTION
No. 192, ADOPTED**

Senator LOEPER, without objection, called up from page 6 of the Calendar, **House Concurrent Resolution No. 192**, entitled:

A Concurrent Resolution urging the Governor to proclaim the month of July 1997 as "Buy American Month" in Pennsylvania.

On the question,
Will the Senate concur in the resolution?

Senator LOEPER. Mr. President, I move that the Senate do concur in House Concurrent Resolution No. 192.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

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

SECOND CONSIDERATION CALENDAR

SB 425 CALLED UP OUT OF ORDER

SB 425 (Pr. No. 1155) -- Without objection, the bill was called up out of order, from page 5 of the Second Consideration Calendar, by Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 425 (Pr. No. 1155) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, providing for the registration of athletic agents; and imposing a penalty.

Considered the second time and agreed to,

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

REMAINING CALENDAR REREFERRED

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

Senator LOEPER. Mr. President, I now move that all bills remaining on the Calendar, as well as all bills reported from committee today, be rereferred to the Committee on Rules and Executive Nominations.

The motion was agreed to.

The PRESIDING OFFICER. Those bills will be so referred.

UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Reverend John J. Grabish by Senator Afflerbach.

Congratulations of the Senate were extended to Umberto Buccigrossi, Immaculate Heart of Mary Church of Pittsburgh and to Tarasi's Men's Wear of Pittsburgh by Senator Bodack.

Congratulations of the Senate were extended to the citizens of the Borough of Philipsburg by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Glenn E. Kinsel, Mr. and Mrs. Raymond L. Markle, Mr. and Mrs. Lester A. Brillhart, Margaret L. Klinedinst, Mitchell David Sweitzer, John Eugene Lehr, Clyde R. Miller, John P. McNulty, Richard E. Lau, Richard Everett Martin, Charles

Henry Koons, Dale Sylvester Coble, Sr., Paul J. Lerew, Hunter L. Barrett, Norman Callahan, John Stanley Boswa, Paul Mulay, Donald E. Mc Creary, George E. Myers, Earl N. Cartwright, Devere G. Young, John J. Fitzpatrick, Fred M. Evans, George N. Dotzel, Jr., Joseph M. Crim, Dale S. Craley, Jesse L. Miller, Richard Dale Noel, Chester Markel Newcomer, Jr., Marlin B. Ryan, Cletus W. Orr, John F. Myers, John R. Nichols, Clark E. Wolgamuth, Calvin W. Schaeffer, Jr., Richard D. Weidner, Harry A. Theurer, James B. Straw, Leo Ruvolis, Albert Louis Rose, John Raab, Dr. Richard Frederick Robinson, Earl G. Rohrbaugh and to John N. Ports, Sr., by Senator Delp.

Congratulations of the Senate were extended to Dr. W.R. Clark by Senator Earll.

Congratulations of the Senate were extended to Mr. and Mrs. Henry J. Breech, Mr. and Mrs. Myron L. Fausey, Mr. and Mrs. Andrew J. Gross, Mr. and Mrs. Luther J. Hess, Mr. and Mrs. Oliver A. Karns, Mr. and Mrs. Leonard E. Leighow, Mr. and Mrs. Curtis H. Steward, Sr., Mr. and Mrs. Charles E. Tyson, Mr. and Mrs. William J. Williams, Sr., Ronald B. Fenstermacher, Douglas N. Hewlett, Raichelle LeVan, Erik Christopher Lynn and to Melinda Shaffer by Senator Helfrick.

Congratulations of the Senate were extended to Linda Susan Kaiser by Senator Holl.

Congratulations of the Senate were extended to Donna Rudolph by Senators Jubelirer, Loeper, and Mowery.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Bradley Rhodes, Mr. and Mrs. Robert D. Smith, Mr. and Mrs. Charles B. Green, Mr. and Mrs. Edward Heyler, Mr. and Mrs. Donald Loomis, Sr., Mr. and Mrs. David S. Larson, Mr. and Mrs. David R. Miller, Mr. and Mrs. George F. Roan, Mr. and Mrs. Howard M. Douty, Mr. and Mrs. Henry M. Godfrey, Mr. and Mrs. Carl B. Gray, Mr. and Mrs. Albert Cero, Mr. and Mrs. Frank R. Stahl, Mr. and Mrs. Joseph J. Schelb, Mr. and Mrs. Paul T. Rothrock, Lucy M. Johnson and to Brian Spencer by Senator Madigan.

Congratulations of the Senate were extended to Dale E. Hess by Senator Mowery.

Congratulations of the Senate were extended to William M. Lowry by Senator Murphy.

Congratulations of the Senate were extended to Dolly Francis Malay by Senator Musto.

Congratulations of the Senate were extended to Nick Forgone by Senator Salvatore.

Congratulations of the Senate were extended to St. Joseph's-in-the-Hills of Malvern and to the Twinning Committee of Caln Township of Chester County by Senator Thompson.

Congratulations of the Senate were extended to Telford Fox by Senator Wenger.

Congratulations of the Senate were extended to Barrow Schools' Soccer Association of England and to the Boys to Britain Soccer Team of Butler by Senator White.

CONGRATULATORY RESOLUTION ADOPTED

The PRESIDING OFFICER. The Chair recognizes the Majority Leader.

Senator LOEPER. Mr. President, I offer the following congratulatory resolution.

The PRESIDING OFFICER. The Clerk will read the resolution.

The Clerk read the resolution as follows:

Whereas, the Commonwealth of Pennsylvania is always proud to acknowledge its citizens who, through professional excellence, contribute in a meaningful way to the betterment of their community and thus to all the citizens of this state; and

Whereas, Donna Rudolph is being honored upon her retirement after thirty years of dedicated service to the Commonwealth of Pennsylvania; and

Whereas, in 1965, Donna started her state employment with the Department of Revenue and continued there until 1971. She began her long career in the State Senate with Senator Clarence Bell in 1973. She later moved to Senator Henry Hager's staff serving as Executive Secretary while he was first Minority Leader and then President Pro Tempore. After Senator Hager's retirement, Donna continued her assignment with the 23rd Senatorial District as Executive Secretary to Senator Roger Madigan; and

Whereas, For the past five years, Donna has served in the challenging role as Executive Secretary to Stephen C. MacNett, General Counsel to the Senate Republican Caucus. She has been a valuable asset to the Office of the Republican Leader, during the tenure of both Senator Robert C. Jubelirer and Senator F. Joseph Loeper, with her efficiency, attention to detail and calmness in the face of adversity and tumultuous conditions;

Now therefore be it resolved, that the Senate of Pennsylvania congratulates Donna Rudolph upon the occasion of her well-deserved retirement; heartily commends her for her dedicated service; and offers best wishes for a happy, healthy and sun-filled retirement;

And directs that a copy of this resolution, sponsored by Senators Robert C. Jubelirer, F. Joseph Loeper and Harold (Hal) F. Mowery, Jr., be presented to Donna Rudolph of Mechanicsburg, Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator LOEPER. Mr. President, I think this is a special resolution that we offer today on the occasion of the retirement of Donna Rudolph, an individual who has provided outstanding service to the Republican Caucus for over 30 years.

And I think, Mr. President, that even though she has worked for Minority Leaders, Majority Leaders, President pro tempores, perhaps her most challenging assignment during that entire 30 years is being the executive secretary to the General Counsel of the Senate Republican Caucus. Mr. President, she has maintained decorum during trying times, whether it be paper throws or telephone throws, and it certainly is a tribute to Donna Rudolph for the efforts that she has put forth on behalf of all the Members of the Senate of Pennsylvania, and we extend our hearty congratulations to her on this occasion of her retirement from the Senate of Pennsylvania.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair thanks the gentleman and heartily concurs, and recognizes the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, I would like to certainly echo the comments of the Majority Leader, although I certainly was not present for some of the things he

kind of expounded upon and I am shocked by them, but that is beside the point.

Mr. President, Donna Rudolph has been a marvelous public servant in her own way, serving the people of Pennsylvania with a lot of dedicated hard work and loyalty, and I want to congratulate her on the resolution and on the time of her retirement and wish her well. She certainly deserves that. She has earned it. When I first came to the Senate in 1974, she was then secretary to former President pro tempore and Minority Leader, Henry Hager, and she has continued to serve our Caucus extremely well, as well as the people of Pennsylvania.

And Donna, I just want to say that I wish you good health, Godspeed, and thank you for all your dedicated service.

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

Senator BELL. Mr. President, as was noted, Donna came to work with our office. Maybe that was why she was able to put up with Steve. But very seriously, Donna represents the professional staff of the Senate of Pennsylvania. We come and go, we take recesses, we run through elections, but the hard core who maintain this establishment are Donna and her colleagues. They are the people who do the work. They take the harassment from our constituents, when maybe a Senator is hiding in another room and an irate constituent is in the front office. This hard core of wonderful people who are here, have been here, will be here, they are the people who make the Senate of Pennsylvania the most respected house of any legislature.

Again, God bless you, Donna.

The PRESIDING OFFICER. The Chair thanks the gentleman and concurs in his sentiments.

And the question recurring,

Will the Senate adopt the resolution?

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

The PRESIDING OFFICER. The resolution is adopted.

PETITIONS AND REMONSTRANCES

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

Senator O'PAKE. Mr. President, very briefly, welfare reform and job creation are two very, very important issues for the people of Pennsylvania. We talk a lot about it, and we listen to a lot of speeches about it.

I have filed with the Secretary legislation that attempts to achieve welfare to work by increasing the tax incentives to businesses in Pennsylvania who employ welfare recipients. There is no doubt about it, we have to make it more attractive to our business community to hire able-bodied welfare recipients to successfully move the current welfare recipients into the work force, as required by present law. We must make it more attractive for businesses to provide opportunities to often undereducated and unskilled people.

The legislation which I have filed, and if anybody wants to cosponsor it, it will be with the Secretary. There are 27 sponsors already. My legislation proposes to double the tax credits that would be offered to businesses that hire welfare recipients

through the State's Employer Incentive Program. Now this program has been around since 1982, but very few businesses participate due to the cumbersome paperwork with very little compensation. While the bureaucrats are currently working on simplifying the paperwork, I believe the legislature must update the tax credit incentive rate to get the business community seriously involved in helping people change their lives for the better. Under my bill the tax credit would go up to \$10,200 instead of the current limit of \$5,100 over 3 years. I think it is a step in the right direction.

I welcome cosponsorship and would encourage consideration of this important measure when we return.

Thank you, Mr. President.

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

Senator MELLOW. Mr. President, I rise today to reflect on the anniversary of a day that many of us would rather forget. Mr. President, it was 25 years ago today that a security guard at the Watergate Hotel and apartment complex in Washington, D.C., noticed that there was some tape on a stairwell door, taping open the locks so that the door would not close. He called the police, Mr. President, and five petty burglars were arrested, setting in motion a chain of events that would force a sitting President to resign and forever change the way politicians are viewed by the public they represent.

Mr. President, Watergate is old news, but its legacy continues to reverberate through the halls of power here in Pennsylvania and in Washington, D.C., and in statehouses across the country, as we have right here. And power, Mr. President, is what Watergate was all about. President Richard Nixon, running for reelection, did not want his power challenged. President Nixon and the men around him were corrupted by their power. They were determined to protect that power no matter what the cost. In the end, of course, the cost was to themselves.

And to that extent, Watergate was a victory for our system of government. The system worked, Mr. President. Richard Nixon resigned the Presidency, 40 government officials were indicted, including his chief of staff and the United States Attorney General, and were sent to jail, and the country moved on.

But I worry that the lessons of Watergate have been forgotten by today's politicians, by today's elected officials. Watergate taught us that the saying, quote, "absolute power corrupts absolutely" is more than just words. It is a very real danger for anyone who aspires to the position of authority. Political power can be a force for positive change, but it can also be a tool to impose the will of the select few against the majority. We live in a democracy, the greatest democracy that the world has ever known. In this country, and yes, even in this State, power is not absolute.

As Richard Nixon discovered some 25 years ago, political power can be fleeting. People who take power can have it taken away from them. Political power, Mr. President, must be earned. It must be used judiciously and carefully, and it must be respected not only to those who have opposing views, but also to those who have the right to use the power. Richard

Nixon was in many ways a good President, but he lacked compassion, he lacked perspective and the wisdom to use his power properly, and the improper use of his power was not in the best interest of the people of this great country of ours.

Today on the 25th anniversary of this third-rate burglary that ended Richard Nixon's career, I hope we can take a moment to reflect on the lessons of Watergate, the break-in that happened long ago, Mr. President, and its lessons on the use and abuse of power are still valid today. Mr. President, that quote, "absolute power corrupts absolutely," is as much of a concern today as it was 25 years ago. I only hope that those of us who have been given the opportunity to serve the public and to serve our constituency can put party lines aside, can put aside the philosophical differences that have developed over the years in the definition of what the two parties represent, and can to the best of our ability say that we will do everything we can in the best interest of the people and not take the power that has been given to us and abuse it as Richard Nixon did in the Watergate incident of 25 years ago.

Thank you very much.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Mr. President, I would just like to recognize a young lady who always sits in the back of our Chamber here as a reporter from the Associated Press. Pam Sampson is leaving us, and she is going on to bigger and better things. She is going to be an international correspondent in New York City with goals of eventually moving to Moscow, but she has covered the Senate for many years here and has done a professional job and I just wanted to put it in the record, Mr. President.

The PRESIDING OFFICER. The Chair thanks the gentleman. We will refrain from any comparisons between Harrisburg and Moscow, and I certainly join in wishing Pam the very best in the future.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, today we passed House Bill No. 1160, and I thought that I would put some remarks on the record because I believe that House Bill No. 1160 really reflects what this institution is all about.

Back in February of this year, I received a letter from a gentleman who lives in Palmyra. He was a constituent and he wrote to me saying, I am writing to you about a concern I have that is dear to my heart. I work for Penn State at the Milton S. Hershey Medical Center. I am a utility worker trying to make an honest living. And what the gentleman explained in his letter was that the merger which would create the Penn State Geisinger Medical Center was going to have a dramatic impact upon himself and his wife and their ability to participate in the State Employees' Retirement System, and because they were not vested in that system since they had more than 5 but less than 10 years of service, they would find themselves losing their employer's share that accrued during their time of employment.

As a result of receiving that letter, I had the good fortune to talk to Senator Piccola, who had received similar correspon-

dence, and we decided that we would introduce legislation to try to solve their problem. We ultimately introduced Senate Bill No. 991, which was intended to create a category of special vestee so that people with more than 5 but less than 10 years of credited service would not lose what they had acquired during their tenure at the Hershey Medical Center.

As this institution has a habit of doing, sometimes it becomes very difficult to get a bill to become law. In this case, because the House went out of Session at the end of last week, last Wednesday, and because we were going to be in Session 3 additional days, we were able to get the bill through the Senate, and had we done that, there would not have been the requisite time under the Constitution to get the bill through the House. As a result, Representative Tulli and Representative Barley came to our rescue and offered what was essentially our legislation, Senate Bill No. 991, as an amendment to House Bill No. 1160. I very much appreciate their participation. During this, Senator Piccola and I, of course, took a strong interest, as did Representative Tulli, who very much wanted to be of assistance. Our discussions on this legislation with Penn State, the State Employees' Retirement System, and representatives from the Governor's Office began in April, and it is now mid-June and we are able to say that this was a success.

Mr. President, what this bill does is it permits approximately 300 Penn State Hershey Medical Center members with more than 5 but less than 10 years of credited service to vest this time and be eligible for the benefits when they retire at the age of about 60. It is a little more complex than that, and the details are not important at this point. The cost of this is approximately \$600,000, and that will be paid for by the newly merged entity. It is appreciated that the people at the Penn State Hershey Medical Center, to be the Hershey Geisinger Medical Center, came up to bat to take care of their employees in this regard.

Mr. President, the point is that this system can be a difficult system, but when people work together, we can solve problems, problems that can originate by just a simple letter from a constituent.

Thank you, Mr. President.

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

Senator GREENLEAF. Mr. President, I rise on this occasion because as Senator Armstrong has indicated, one of the members of the media who cover us is about to go on to, as they say, bigger and better things. We have many outstanding and good journalists here in Harrisburg. I know they do not like us to say nice things about them, but I think today is a special occasion because I believe this is Pam Sampson's last day covering the Senate, and she has just done an outstanding job. It is my understanding, as Senator Armstrong has indicated, that she will be at the international desk in New York and then possibly on assignments to either Russia or Jerusalem, or other places in the world, so we obviously will not be seeing her but hopefully we will be hearing from her in her coverage of the world.

We take this opportunity, both myself and I am sure the Senate as a whole, to wish her well.

Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Afflerbach.

Senator AFFLERBACH. Mr. President, as we get ready to recess for the summer, I think it is only appropriate to comment on the issue of the Governor's proposal to privatize the State Store system. The Governor has indicated, at least through his press secretary, that he intends to utilize the summer months in part to muster public support for this particular proposal. In the process of so doing, I hope that whoever goes out to speak on behalf of the proposal will in fact share with the public all the nuances, because there are many troubling nuances in this proposal.

One of those that troubles me the greatest is the portion that would allow the so-called private entrepreneur to sell not only bulk quantities of liquor and wine but also certain condiments which are undefined in the bill. Although the Governor's people have indicated that these condiments should include such things as pretzels and potato chips and peanuts, and perhaps pop corn and candy and soda, and so forth, those condiments will be sold to anyone who walks in the door and puts their money on the table. And again in the hearings that the Committee on Law and Justice have held in this Chamber, the advocates of the proposal have said there will be no age requirement. There is no age requirement in the bill at the present time for anyone to enter these private stores. Under current law, of course, no one under the age of 21 is permitted into a Pennsylvania State Store unless accompanied by a parent or guardian or an individual over the age of 21, and the State Stores have in fact posted on their doors or in their front windows signs indicating that.

I am particularly concerned about this because, Mr. President, what I hold in my hand is an item that is commonly known as a Jell-O pop. It is sold in private stores in neighboring States, and the price label on this particular item indicates that it is sold for 50 cents. On the top of the item, in cartoon-type letters, is the name "Tumblers," and if one looks very closely with eyeglasses, one will read in print smaller than that which we normally use in our correspondence in the Senate the words that it is an alcoholic beverage, that this particular alcoholic beverage contains vodka. There is a picture of a child's face on top of this, and if one looks very closely at that child's face, one will see that there is a very narrow diagonal line drawn through the face, ostensibly I assume to indicate that it should not be sold to children.

But, Mr. President, this Jell-O pop was in fact sold to a child. It came into my possession from a parent who in a neighboring State walked into a so-called free enterprise store, and while that parent was making a purchase of an alcoholic beverage, the child, with their own money, was picking up some peanuts and some popcorn and some so-called condiments and also picked up these Jell-O pops thinking that in fact that is what they were, nonalcoholic Jell-O pops. The cashier at the private store sold the child that Jell-O pop.

Now, Mr. President, I do not think we have to stretch the imagination to theorize that if we move to private retail liquor stores in this Commonwealth that are going to be able to sell

candy and peanuts and popcorn and the so-called condiments to anyone who walks in that door, it is very easy to expect that the same thing will happen that has happened in a neighboring State. The child will pick up this innocent looking Jell-O pop, place it on the counter, and an attentive clerk may notice that it is in fact an alcoholic beverage rather than a condiment or they may not, or they may not care. That is just one of the dangers in this proposal.

Mr. President, if in fact the Governor and his supporters intend to utilize the summer to muster public support for privatizing the State Store system, I hope that they will tell the public all the nuances of that privatization effort, and that the public will in fact also evaluate on its own what is happening in private stores throughout the rest of the nation.

Thank you, Mr. President.

BILLS SIGNED

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

SB 7, SB 135, SB 423 and SB 875.

PETITIONS AND REMONSTRANCES

(continued)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Bell.

Senator BELL. Mr. President, I understand this may be the Chair's last day in the Senate, is that correct?

The PRESIDING OFFICER. It is yet to be decided, Senator. It is certainly possible.

Senator BELL. Mr. President, well, in case it is, on behalf of the Senate, I want to thank the Chair for his service here, and good luck being judge.

The PRESIDING OFFICER. Thank you very much, Senator. I suspect that I may need it.

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 18, 1997

10:30 A.M.

STATE GOVERNMENT (public
hearing on Senate Bill No. 1)

Room 8E-B
East Wing

ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I am going to make a motion to adjourn, but for the benefit of the Members, while we will be adjourning until tomorrow, there will be no roll-call votes tomorrow. The Members ought to know that.

At this point then, I move that we adjourn until Wednesday, June 18, 1997, at 10 a.m.

The motion was agreed to.

The Senate adjourned at 12:15 p.m., Eastern Daylight Saving Time.