

# Legislative Journal

TUESDAY, NOVEMBER 25, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 60

## SENATE

TUESDAY, November 25, 1997

The Senate met at 11 a.m., Eastern Standard Time.

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

## PRAYER

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

Let us pray.

Most gracious God, You crown the year with Your goodness, and in this Thanksgiving season we thank You for Your providence, which has blessed us again through seed time and harvest. We thank You for Your blessing on the work of those who plowed our fertile Pennsylvania fields, sowed the seed, and have now gathered for us the fruits of the earth.

Your faithfulness in meeting our every need is remarkable; indeed, it is beyond measure. As we gather in the Senate Chamber today, we offer thanks for the faithful labors of those who serve here, and as You take our work in the fields and add Your blessing to produce a bountiful harvest, we pray that You will bless those who labor here so that our efforts will be fruitful also.

Now we thank You for the day of Thanksgiving which is to come when we will gather around the festive table with our families, those closest to us. May our time together bless us and restore us for the labors which are before us. We thank You, most bounteous God. Amen.

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

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 24, 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 MESSAGE

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

**Recess adjournment.**

### BILLS INTRODUCED AND REFERRED

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

November 25, 1997

Senators LAVALLE, BELAN, COSTA, WILLIAMS, BODACK, KUKOVICH, WAGNER, ROBBINS, WOZNIAK, O'PAKE, PUNT, DELP, BELL, FUMO, MELLOW, SCHWARTZ, STAPLETON, MUSTO, AFFLERBACH, SLOCUM, GERLACH and HART presented to the Chair **SB 1208**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for payment of certain tax liens when forfeited real property is sold.

Which was committed to the Committee on JUDICIARY, November 25, 1997.

Senator THOMPSON presented to the Chair **SB 1209**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey Philadelphia Suburban Water Company, certain land situate in Newlin Township, Chester County.

Which was committed to the Committee on STATE GOVERNMENT, November 25, 1997.

Senators RHOADES, WILLIAMS, STAPLETON, PUNT, KUKOVICH, TARTAGLIONE, LAVALLE, TOMLINSON, WOZNIAK, GERLACH, AFFLERBACH, BELL, KASUNIC, SLOCUM, LEMMOND, THOMPSON, MURPHY and MELLOW presented to the Chair **SB 1210**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing a sales tax exclusion for purchases of stair lifts or stair glides necessary for persons with certain disabilities.

Which was committed to the Committee on FINANCE, November 25, 1997.

Senators RHOADES, AFFLERBACH, BODACK, O'PAKE, WILLIAMS, STOUT, KUKOVICH, WOZNIAK, STAPLETON, TARTAGLIONE, KASUNIC, BELL, WAGNER, HART, COSTA, MURPHY, SCHWARTZ, BELAN, MADIGAN and MELLOW presented to the Chair **SB 1211**, entitled:

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

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, November 25, 1997.

Senators PUNT, WENGER, HELFRICK, DELP, STAPLETON, RHOADES, MADIGAN, STOUT, HART, SLOCUM, CORMAN, THOMPSON and ROBBINS presented to the Chair **SB 1212**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to seasonal farm labor, providing for wages and hours, for regulations and inspections, for access and entry, for registration of farm labor contractors and for penalties; renumbering a part; and making repeals.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, November 25, 1997.

### RESOLUTION INTRODUCED AND REFERRED

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

November 24, 1997

Senators SALVATORE, TOMLINSON, AFFLERBACH, STOUT, WILLIAMS, BELAN, LEMMOND, LAVALLE, MURPHY, RHOADES, BRIGHTBILL, FUMO, STAPLETON, GERLACH, SLOCUM and WOZNIAK presented to the Chair **SR 105**, entitled:

A Resolution memorializing the Congress of the United States to enact legislation to provide veterans' benefits to the veterans of the Armed Forces of the Commonwealth of the Philippines who served with either active or guerrilla forces in support of United States military operations against hostile forces during World War II.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, November 24, 1997.

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet off the floor during today's Session to consider Senate Bills No. 157

and 635, House Bills No. 1027, 1347, and Senate Resolution No. 104, as well as nominations.

### REPORTS FROM COMMITTEES

Senator THOMPSON, from the Committee on Law and Justice, reported the following bills:

#### **SB 926 (Pr. No. 1505) (Amended)**

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

#### **SB 1164 (Pr. No. 1402)**

An Act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, Liquor Code, authorizing the production of beer or malt or brewed beverages in limited quantities for personal or family use.

Senator LEMMOND, from the Committee on State Government, reported the following bill:

#### **SB 1 (Pr. No. 1506) (Amended)**

An Act regulating lobbying; providing for further duties of the State Ethics Commission; requiring the registration of lobbyists and principals and the submission of certain reports; providing penalties; establishing a restricted receipts fund; making an appropriation; and making a repeal.

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

#### **SB 101 (Pr. No. 98)**

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled Liquid Fuels Tax Municipal Allocation Law, further providing for the maintenance of alleys.

#### **SB 751 (Pr. No. 806)**

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled Liquid Fuels Tax Municipal Allocation Law, further providing for definition of roads and streets.

#### **SB 914 (Pr. No. 994)**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for construction, relocation, suspension and abolition of crossings.

#### **HB 80 (Pr. No. 2620) (Amended)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unauthorized school bus entry.

#### **HB 433 (Pr. No. 2621) (Amended)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definition of "vehicles," for application for certificate of title and for transfer of ownership of vehicle; further providing for carrying and exhibiting driver's license on demand, for investigation by police officers, for transfer of ownership of title, for delivery of certificate of title, for expiration and renewal of drivers' licenses, for schedule of convictions and points, for exemption of persons, entities and vehicles from fees, for exemp-

tions from other fees, for traffic-control signals, for obedience to signal indicating approach of train, for vehicles required to stop at railroad crossings and for compliance with bridge and railroad warning signals; providing for passengers in open trucks and trailers; further providing homicide by vehicle while driving under influence, for accidents involving death or personal injury while not properly licensed, for unlawful activities, for periods for requiring lighted lamps, for general lighting requirements, for use of multiple-beam road lighting equipment, for general requirements for school buses and for length of vehicles; providing for dealing in official traffic-control devices or bridge parts; further providing for subsequent convictions of certain offenses and for refund of taxes on liquid fuels and fuels; and providing for refund of taxes on liquid fuels and fuels.

#### **HB 909 (Pr. No. 2622) (Amended)**

An Act designating a section of U.S. Route 15 in Union County, Pennsylvania, as the Donald L. Heiter Memorial Highway; designating a section of Route 3013 in Westmoreland County, Pennsylvania, as the C. Vance DeiCas Memorial Highway; designating a section of S.R. 981 in Unity Township, Westmoreland County, as Technology Way; designating a bridge in Curwensville Borough, Clearfield County, as the Louis R. Donahue Memorial Bridge; designating a certain bridge on SR 2012 in Castanea Township, Clinton County, as the Castanea Firemen's Memorial Bridge; redesignating the Fifth Street Bridge in the City of Chester, Delaware County, Pennsylvania, as the Samuel E. Dennis Bridge and designating a certain bridge crossing the Juniata River as the Mifflin County Veterans Memorial Bridge.

#### **HB 1502 (Pr. No. 2623) (Amended)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for contributions to the Organ Donation Awareness Trust Fund.

#### **HB 1764 (Pr. No. 2189)**

An Act repealing the act of May 8, 1889 (P.L. 125, No. 138), entitled "An act providing for the paving and curbing of such portions of Third street, Fourth street, Walnut street and North street in the City of Harrisburg, as the Public Grounds of the Commonwealth abut on, as is properly chargeable to the State, and making appropriation for the cost of the same."

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

#### **HB 441 (Pr. No. 2579) (Rereported)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for absence without leave.

#### **HB 1412 (Pr. No. 2589) (Rereported)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information to consumer reporting agency, for cooperation of government and nongovernment agencies and for general administration of support matters; providing for duties of Title IV-D attorney; further providing for order of support, for mandatory inclusion of child medical support, for commencement of support actions or proceedings, for expedited procedure, for paternity, for attachment of income, for costs and fees, for continuing jurisdiction over support orders, for duty to report and for denial or suspension of licenses; providing for Title IV-D program and related matters; further providing for acknowledgment and claim of paternity, for responsibilities of law enforcement agencies, for court-ordered relief, for continuing exclusive jurisdiction, for recognition of child support orders, for duties of initiating tribunal, for duties and powers of responding tribunal, for inappropriate tribunal, for duties of support enforcement agency, for supervisory duty, for duties

of the Department of Public Welfare and for income-withholding order of another state; providing for compliance with multiple income-withholding orders, for immunity from civil liability, for penalties for non-compliance and for contest by obligor; further providing for notice of registration of order, for procedure to contest validity or enforcement of registered order and for modification of child support order of another state; providing for jurisdiction to modify child support order of another state and for notice to issuing tribunal of modification; further providing for supervisory duty and for definitions; making repeals; and making editorial changes.

### **LEGISLATIVE LEAVES**

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

Senator LOEPER. Mr. President, I request temporary Capitol leaves on behalf of Senator Delp, Senator Salvatore, and Senator Mowery.

The PRESIDENT. Senator Loeper requests temporary Capitol leaves for Senator Delp, Senator Salvatore, and Senator Mowery.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request legislative leaves for Senator Stapleton and Senator Williams.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Stapleton and Senator Williams. Without objection, those leaves are granted.

### **LEAVES OF ABSENCE**

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

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

### **CALENDAR**

#### **BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS**

#### **BILL OVER IN ORDER**

**HB 1476** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### **THIRD CONSIDERATION CALENDAR**

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

**HB 1573** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### **BILL REREFERRED**

**HB 21 (Pr. No. 2521)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P.L. 1005, No. 205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for contents of actuarial valuation report.

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

#### BILLS OVER IN ORDER

**SB 212 and SB 429** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 474 (Pr. No. 2576)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor, and providing for sale or illegal use of certain solvents.

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-47

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

#### NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair recognizes the presence of the gentleman from Philadelphia, Senator Salvatore, and his temporary Capitol leave is cancelled.

#### THIRD CONSIDERATION CALENDAR RESUMED

#### BILLS OVER IN ORDER

**SB 508, SB 529, SB 828, SB 829, SB 830, HB 836, SB 838, SB 888, HB 961, SB 962, SB 996, SB 1047 and HB 1065** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1087 (Pr. No. 1498)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for contempt for violation of a protection order or agreement and for the definition of "delinquent act."

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-47

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

#### 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.

**HB 1125 (Pr. No. 2590)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting unauthorized administration of an intoxicant, and providing for additional penalties for certain drug-induced rape.

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

On the question,  
Shall the bill pass finally?

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

Senator COSTA. Mr. President, I would like to rise very briefly to discuss House Bill No. 1125. It is an issue that I have worked on for the past year and a half or so. Last year, working with then Senator Fisher and this year with Attorney General Fisher, I introduced legislation which is nearly identical to the legislation that we will be voting on today.

Mr. President, the purpose of this legislation is to provide protection to drug-induced sexual assault and rape victims. In particular, the statute is designed to combat Rohypnol and other substances known as date rape drugs. These are very powerful, odorless, colorless drugs that are thrust upon unsuspecting victims at many activities, for example, parties at college campuses and the like.

Mr. President, for a number of years I served as a law enforcement officer, and for the past 5 years I served as a member of the Center for Victims of Violent Crimes. I can stand here today and tell you that there are several concerns that this particular piece of legislation addresses, one which has recently hit our college campuses and has made its way into our Commonwealth, so I ask that the Members of this General Assembly support this legislation.

I am very happy that Representative Bard has been able to push it through the House unanimously, and I am hoping that my colleagues here in the Pennsylvania Senate will do likewise and send a very, very clear message to the unscrupulous individuals who want to utilize this particular drug, because it makes it very, very difficult to prosecute some of the perpetrators because the victims' thought processes are interfered with with respect to this drug. I ask that all the Members support this bill.

Thank you.

And the question recurring,  
Shall the bill pass finally?

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

#### YEA-47

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

#### NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL AMENDED

**SB 1161 (Pr. No. 1397)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Borough of Carlisle, Cumberland County, to sell certain Project 70 lands free of Project 70 restrictions in return

for use of the sale proceeds to assist the Central Pennsylvania Conservancy purchase a tract of land.

On the question,

Will the Senate agree to the bill on third consideration?

Senator KUKOVICH offered the following amendment No. A4684:

Amend Title, page 1, line 4, by removing the period after "land" and inserting:; authorizing the release of Project 70 restrictions imposed on certain lands owned by Hempfield Township, Westmoreland County, in return for the imposition of Project 70 restrictions on certain lands to be conveyed to Robert E. and Ella J. Griffith; and authorizing Hempfield Township to convey to Robert E. and Ella J. Griffith 0.6079 acres of land in Hempfield Township, Westmoreland County.

Amend Sec. 1, page 1, lines 7 and 8, by striking out all of said lines and inserting:

Section 1. (a) Authorization.—Under the requirements of section 20(b) of the act of June

Amend Sec. 1, page 1, line 12, by striking out "section 2" and inserting: subsection (b)

Amend Sec. 2, page 1, line 17, by striking out all of said line and inserting: (b) Land to be released from Project 70 restrictions.—

Amend Sec. 3, page 4, lines 17 and 18, by striking out all of said lines and inserting: (c) Use of sale proceeds.—The net proceeds, selling price less expenses, from the sale

Amend Sec. 3, page 4, line 19, by striking out "section 2" and inserting: subsection (b)

Amend Sec. 4, page 4, lines 26 and 27, by striking out all of said lines and inserting: (d) Deed clause.—The Central Pennsylvania Conservancy deed to the Seven Gables

Amend Bill, page 5, by inserting between lines 2 and 3:

Section 2. (a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act, from the lands owned by the Township of Hempfield, Westmoreland County, and more particularly described in subsection (c) in exchange for the imposition of the section 20 restrictions on lands to be conveyed to the Township of Hempfield from Robert E. and Ella J. Griffith and more particularly described in subsection (d).

(b) Freedom of restrictions.—The lands described in subsection (c) and owned by the Township of Hempfield, Westmoreland County, shall be free of the restrictions on use and alienation imposed by section 20 of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, upon the imposition of and recording of the Project 70 deed restrictions set forth in subsection (e) on the parcel of replacement land described in subsection (d) to be conveyed to the Township of Hempfield from Robert E. and Ella J. Griffith contemporaneously with the conveyance of land described in subsection (c).

(c) Land to be free from restrictions.—The parcel of land authorized to be released from restrictions is more particularly described as follows:

All that parcel of land located in Hempfield Township, Westmoreland County, Pennsylvania, described as follows:

Beginning at a point at the southwest corner of the parcel of land of Robert E. and Ella J. Griffith described in subsection (d), which point is at or near the center of S.R. 1032; thence along the approximate center of S.R. 1032 south 19 degrees 00 minutes 19 seconds west 61.00 feet to a point in the approximate center of S.R. 1032; thence, along other land of Hempfield Township, north 74 degrees 17 minutes 40 seconds west 488.232 feet to a point at land now or formerly of William E. and Pamela M. Pershing; thence along the land of William E. and Pamela M. Pershing north 76 degrees 48 minutes east 125.989 feet to an oak tree; thence along other land of Robert E. and Ella J. Griffith south 74 degrees 17 minutes 40 seconds east

381.45 feet to the place of beginning.

Containing 0.6079 acres of land.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to restrictions in exchange for the parcel described in subsection (c) is more particularly described as follows:

All that certain tract or parcel of land situate in the Township of Hempfield, County of Westmoreland, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point at the northeast corner of the parcel of land of Hempfield Township described in subsection (c), which point is at or near the center of S.R. 1032; thence north 14 degrees 15 minutes east 100.00 feet to a telephone line on land of Robert E. and Ella J. Griffith; thence north 83 degrees 09 minutes 30 seconds east 112.44 feet to the approximate center line of S.R. 1032; thence south 40 degrees 00 minutes 00 seconds east 240.40 feet to a point at land of Hempfield Township; thence along the land of Hempfield Township north 75 degrees 45 minutes west 300.00 feet to the place of beginning.

Containing 0.604 acres of land.

(e) Description of deed restrictions.—The deed restrictions to be transferred to the parcel described in subsection (d) shall read as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as said purposes are defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

(f) Conveyance to Robert E. and Ella J. Griffith.—The Township of Hempfield, Westmoreland County, is hereby authorized to convey the premises described in subsection (c) to Robert E. and Ella J. Griffith in exchange for the premises described in subsection (d).

Amend Sec. 5, page 5, lines 3 and 4, by striking out all of said lines and inserting:

Section 3. This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

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

Senator KUKOVICH. Mr. President, I have talked to Senator Mowery's staff and Representative Masland, who has a similar bill on the House side, about my amendment A4682, which is also a Project 70 land conveyance, and I ask for support of this amendment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator LOEPER.

#### BILLS OVER IN ORDER

**SB 1168, SB 1181 and SB 1188** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### SECOND CONSIDERATION CALENDAR

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

**HB 13** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL OVER IN ORDER

**SB 308** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION

**HB 959 (Pr. No. 1141)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for property.

Considered the second time and agreed to,

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

#### BILLS OVER IN ORDER

**SB 1012, SB 1013, HB 1111, HB 1113, HB 1114, HB 1116 and SB 1163** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION

**SB 1175 (Pr. No. 1470)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for planned communities.

Considered the second time and agreed to,

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

#### BILLS OVER IN ORDER

**HB 1258, HB 1304, HB 1345 and HB 1763** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

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

##### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1412 (Pr. No. 2589)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information to consumer reporting agency, for cooperation of government and nongovernment agencies and for general administration of support matters; providing for duties of Title IV-D attorney; further providing for order of support, for mandatory inclusion of child medical support, for commencement of support actions or proceedings, for expedited procedure, for paternity, for attachment of income, for costs and fees, for continuing jurisdiction over support orders, for duty to report and for denial or suspension of licenses; providing for Title IV-D program and related matters; further providing for acknowledgment and claim of paternity, for responsibilities of law enforcement agencies, for court-ordered relief, for continuing exclusive jurisdiction, for recognition of child support orders, for duties of initiating tribunal, for duties and powers of responding tribunal, for inappropriate tribunal, for duties of support enforcement agency, for supervisory duty, for duties

of the Department of Public Welfare and for income-withholding order of another state; providing for compliance with multiple income-withholding orders, for immunity from civil liability, for penalties for non-compliance and for contest by obligor; further providing for notice of registration of order, for procedure to contest validity or enforcement of registered order and for modification of child support order of another state; providing for jurisdiction to modify child support order of another state and for notice to issuing tribunal of modification; further providing for supervisory duty and for definitions; making repeals; and making editorial changes.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator LOEPER. Mr. President, this bill contains new enforcement tools that will strengthen the effectiveness of the county courts' Domestic Relations sections' effort to establish paternity, to locate noncustodial parents, establish and enforce child support orders, as well as collecting delinquent child support payments.

Mr. President, Pennsylvania's Domestic Relations sections have established a record of national leadership in cost-effective pursuit of child support, but we need to ensure that they have every means available to collect the money that is still owed to Pennsylvania's children. The bill will also allow the department and the Domestic Relations sections to expedite paternity establishment and enforcement of support orders. I believe, Mr. President, that it is quite clear that the financial support of both parents can make or break the financial self-sufficiency of a family. Finally, Mr. President, this bill would restore the State's share of the support pass-through.

I would like to just take a moment to commend all the efforts put forth to bring this bill to fruition before the Members of the Senate today, particularly Senator Brightbill, Senator Kukovich, Senator Greenleaf, and Senator O'Pake, who worked very diligently together to bring this legislation before us. Mr. President, I ask for an affirmative vote.

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

Senator KUKOVICH. Mr. President, I would concur and also thank the aforementioned folks and others on the Committee on Judiciary, in particular Senator Earll, Senator White, Senator Gerlach, and Senator Hart, for being supportive of children. There was a ticklish issue regarding the pass-through to some of the poorest children, and I think a reasonable compromise was made. I am very supportive of the overall impact of this legislation and also support an affirmative vote.

Thank you.

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Mr. President, I, too, would like to thank the Senate Members who were involved with this bill. It is so important that the poor families in the State of Pennsylvania continue receiving the \$50 pass-through. Even though it is

not counted in the TANF formula, when the family applies for food stamps it is all counted as income.

So I would like to thank you very much for thinking of the suffering and the struggling of the poor people in this State, and I look forward to working with everybody on other kinds of things that we can do for families in this State.

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-47

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

#### NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### RECESS

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

Senator LOEPER. Mr. President, at this time I ask for a very brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to take place immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations to begin immediately, the Senate stands in recess.

#### AFTER RECESS

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

#### REPORTS FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following bills:

##### SB 157 (Pr. No. 152)

An Act providing for administration of oaths of office to legislators.



**SB 635 (Pr. No. 1509) (Amended) (Rereported) (Concurrence)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sentencing for the offense of drug delivery resulting in death, for certain assaults by prisoners and for wiretapping and electronic surveillance; and providing for the Office of Attorney General, the General Counsel, special investigations counsel and independent counsel and their powers and duties.

**HB 1027 (Pr. No. 2530) (Rereported) (Concurrence)**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for Commonwealth agencies, for gubernatorial appointments, for boards of trustees of State institutions, for definitions relating to crime victim's compensation, for the lapsing of funds and for public members of licensing boards; modifying and increasing the powers of the executive board; limiting collective bargaining for school administrators employed by cities of the first class; prohibiting certain fees for the use of State property for the purpose of making commercial motion pictures; imposing additional duties on the Auditor General, the State Treasurer and the Attorney General; authorizing the Department of Corrections to assess and collect certain payments from prisoners; providing for bonds for certain oil and gas wells, for timetable for the review of municipal waste landfill and resource recovery facility permit applications, for municipal waste recycling and for the powers of certain campus police; authorizing the establishment of the Pennsylvania Infrastructure Bank in the Department of Transportation; further providing for workers' compensation assessments; repealing provisions relating to gasoline dispensing facilities and certain reports under the Health Care Services Malpractice Act; and making other repeals.

**HB 1347 (Pr. No. 2386)**

An Act amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," providing for access to computer information systems by persons outside the General Assembly.

**RESOLUTION REPORTED FROM COMMITTEE**

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following resolution:

**SR 104 (Pr. No. 1495)**

A Resolution declaring December 1 through 5, 1997, as "Dream Come True Week" in Pennsylvania.

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

**COMMUNICATIONS FROM THE GOVERNOR  
REPORTED FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

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

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

November 24, 1997

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 15, 1997 for the appointment of Mark Navarro, 4184 Kitatinny 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

**MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE**

November 20, 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 August 26, 1997 for the appointment of Kathleen W. Lenker (Republican), 3 Elmhurst Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the Cumberland County Board of Assistance, to serve until December 31, 1999, and until her successor is appointed and qualified, to add to complement.

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 PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON  
RULES AND EXECUTIVE NOMINATIONS**

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

**MEMBER OF THE STATE BOARD  
OF DENTISTRY**

August 5, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Allan M. Horwitz, Esquire



(Public Member), 222 East Lincoln Highway, Coatesville 19320, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald L. Spero, Erie, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN**

October 16, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas P. Carey, Ed.D., 470 Jayson Avenue, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Mary Ann Nobers, Ph.D., Harrisburg, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF SOCIAL WORK EXAMINERS**

October 20, 1997

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael J. DeStafano, 31 Netoxet Street, Ridgway 15853, Elk County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Social Work Examiners, to serve until May 14, 2000 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Karen S. Kober, North Huntingdon, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE CLEARFIELD COUNTY  
BOARD OF ASSISTANCE**

September 24, 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, Hugh A. Daly (Democrat), 21 South State Street, DuBois 15801, Clearfield County, Twenty-fifth Senatorial District, for appointment as a member of the Clearfield County Board of Assistance, to serve until December 31, 1999, and until his successor is appointed and qualified, to add to complement.

THOMAS J. RIDGE  
Governor

**NOMINATIONS LAID ON THE TABLE**

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

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 2**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**HB 1027 (Pr. No. 2530)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for Commonwealth agencies, for gubernatorial appointments, for boards of trustees of State institutions, for definitions relating to crime victim's compensation, for the lapsing of funds and for public members of licensing boards; modifying and increasing the powers of the executive board; limiting collective bargaining for school administrators employed by cities of the first class; prohibiting certain fees for the use of State property for the purpose of making commercial motion pictures; imposing additional duties on the Auditor General, the State Treasurer and the Attorney General; authorizing the Department of Corrections to assess and collect certain payments from prisoners; providing for bonds for certain oil and gas wells, for timetable for the review of municipal waste landfill and resource recovery facility permit applications, for municipal waste recycling and for the powers of certain campus police; authorizing the establishment of the Pennsylvania Infrastructure Bank in the Department of Transportation; further providing for workers' compensation assessments; repealing provisions relating to gasoline dispensing facilities and certain reports under the Health Care Services Malpractice Act; and making other repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 1027?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 1027.

On the question,

Will the Senate agree to the motion?

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

**YEA-47**

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

**NAY-0**

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

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

### **SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 3**

#### **SENATE RESOLUTION No. 104, ADOPTED**

Senator LOEPER, without objection, called up from page 1 of Supplemental Calendar No. 3, **Senate Resolution No. 104**, entitled:

A Resolution declaring December 1 through 5, 1997, as "Dream Come True Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

### **UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Frederick E. Brown III and to the Parkland Senior High School Boys' Soccer Team by Senator Afflerbach.

Congratulations of the Senate were extended to Mr. and Mrs. Lloyd Groff, Mr. and Mrs. Clifford Holloway and to Mr. and Mrs. James Johnson by Senator Armstrong.

Congratulations of the Senate were extended to Ian Izzo, Michael Puchtler and to Brian Schaeffer by Senator Belan.

Congratulations of the Senate were extended to John A. Blumenstock by Senator Conti.

Congratulations of the Senate were extended to Civil War Heritage of Gettysburg by Senator Fumo.

Congratulations of the Senate were extended to the Kimberton Youth Athletic League 15 years old and Under Girls' Softball Team by Senator Gerlach.

Congratulations of the Senate were extended to Maynard Debo, Kevin N. Hauck and to Joseph J. Scartelli by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Benjamin Henery Branison by Senator Hughes.

Congratulations of the Senate were extended to the Norwin High School Girls' Soccer Team by Senator Kukovich.

Congratulations of the Senate were extended to Tim Cron, Timothy Brandon Foster, James Eric Redell, Eric Reese and to Craig Alan Springman by Senator Madigan.

Congratulations of the Senate were extended to Stephen R. Burke, Justin T. Heberlig and to John Henry Toomey by Senator Mowery.

Congratulations of the Senate were extended to the Pennsylvania Junior Miss Program and to the Albright College Football Team of Reading by Senator O'Pake.

Congratulations of the Senate were extended to the Honorable Isadore E. Krasno by Senator Rhoades.

Congratulations of the Senate were extended to Brian Gaines, Kate Steklachich, Jeremy Blaine Tidd, Greenville

Lions Club and to Union City High School 1997 Boys' Cross Country Team by Senator Robbins.

Congratulations of the Senate were extended to Dale E. Shelley by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Harvey V. Joswick, Mr. and Mrs. Andrew Kohan, Mr. and Mrs. Chester Ross, Mr. and Mrs. Michael Swick and to Mr. and Mrs. John Ziats by Senator Wozniak.

### **CONDOLENCE RESOLUTION**

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

Condolences of the Senate were extended to the family of the late Scott Alan Vrabel by Senator Kasunic.

### **BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to.

The bills were as follows:

**SB 1, SB 101, SB 157, SB 751, SB 914, SB 926, SB 1164, HB 80, HB 433, HB 909, HB 1347, HB 1502 and HB 1764.**

And said bills having been considered for the first time,

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

### **BILL RECOMMITTED**

Upon motion of Senator LOEPER, and agreed to, the following bill just considered for the first time was recommitted to the Committee on Rules and Executive Nominations.

**HB 1347.**

### **BILL REREFERRED**

Upon motion of Senator LOEPER, and agreed to, the following bill just considered for the first time was rereferred to the Committee on Appropriations:

**HB 433.**

### **PETITIONS AND REMONSTRANCES**

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

Senator WAGNER. Mr. President, I rise to talk about comments made by Governor Ridge this past weekend in regard to southwestern Pennsylvania. The Governor wrote an article in the editorial section of the Pittsburgh Post-Gazette on Sunday, November 23. In that article he indicated how to move forward with economic development projects in southwestern Pennsylvania. Many of the projects were part of the Regional Renaissance Initiative that was part of a referendum vote in an 11-county area this past November 4, and as we all know, that initiative failed across the board in all 11 counties.

The Governor specifically indicated how we in the southwest can count on him to help with a plan, a new plan, a

so-called plan B, that many people are talking about, a plan to build a convention center, a plan to build a stadium or stadiums, cultural attractions, and industrial parks in southwestern Pennsylvania in the 11-county area. The Governor further indicated that the Sports and Exposition Facilities Task Force Report, and I am sure all of us remember that report that started in 1995 and was completed in 1996, should be reviewed and its findings embraced for the southwest to move forward on a multitude of economic development projects, of which, Mr. President, the major recommendation or finding in the report to come up with funding was to sell the State Store system, and it is indicated in the Governor's article that we should relook at that issue and embrace that initiative.

We all know that the whole logic behind the funding or sale of the State Stores was to come up with the State's share of funding that would be utilized with a matching share of funding at the local level to do economic development projects such as a convention center, a stadium, whether it be in Pittsburgh or Philadelphia, or other economic development projects such as industrial parks, of which that is a concern in many outlying areas in southwestern Pennsylvania.

In the article, the Governor further indicates that the State will come up with 35 percent of the funding for those projects. In regard to stadiums, and it is really a new thought, maybe a thought that has been mentioned in the past, but the Governor makes it an emphasis of this article, in regard to stadiums, he suggests that we build a multi-use stadium in the Pittsburgh area rather than two separate stadiums, one for football and one for baseball. And if a multi-use stadium is built, the Governor will consider, and I repeat consider, that the State financing share be on the one-third and possibly make it higher, maybe 50 percent or, who knows, even greater.

Three other recommendations were made in the article in addition to selling the State Stores and a multi-use stadium. One of those three recommendations was to be wary of new Lottery proposals in the Commonwealth for economic development projects, and I agree with the Governor on that point, because it could potentially harm the existing Lottery that funds a multitude of senior citizen programs. The other two points he makes is to debate honestly on plan B, especially as it relates to funding sources, and the final point is to debate together.

Now, Mr. President, I rise to talk about this because, number one, it is an article written by the Governor and not comments made by the Governor in an article, so I know how strongly he feels to take the time to mention all these concerns in regard to southwestern Pennsylvania. Mr. President, also I respect the Governor very much. However, I have some great concerns about the comments made in this article. First and foremost is bringing up the issue of selling the State Stores again, for that to be part of the southwest getting funding on economic development projects. I am not here to talk about the State Store issue. I have talked about it on the floor before. Who knows, I may talk about it again in the future, so I do not want to talk about it today.

But I simply want to state that if we are going to keep bringing up the State Store issue and the privatization of the

State Stores, let us just put a bill on the floor in both the Senate and the House and vote on the issue. And let us vote the issue up or let us vote the issue down, because the issue cannot continue to linger, particularly if it is tied in with, as the Governor suggests, economic development projects in southwestern Pennsylvania. I do not want to see that happen as a State Senator from that area of the Commonwealth. I feel as if we are being held hostage, that the State Store issue and the funding related to it, if it were privatized, is necessary in order for key, and I repeat, key economic development projects to move forward, and I do not want to see the southwest being held hostage.

Recently, within the last month, and I support the initiative, the State is coming forth with at least \$180 million to possibly \$200 million-plus for a very important project in the Philadelphia area, the shipyards, and the redoing of an industry that has been lost in southeastern Pennsylvania. I support that initiative, but in order for that area of the State to get that kind of money, there did not have to be the privatization of the State Store system to be a matching source from State government for that to happen.

So when I look at key economic development projects in the southwest, and I begin to read the Governor's comments that we need to privatize the State Store system for a funding source related to those projects, I am very concerned, because there has been a project I have been pushing for a long time that needs State funding and it could move forward if we get an amount of money equal to what the shipyards are getting, and that is a new convention center for southwestern Pennsylvania. A convention center was built and opened in 1993 in the southeast, in Philadelphia, and it is a magnificent facility and has done wonders for the city of Philadelphia and southeastern Pennsylvania. Pittsburgh and southwestern Pennsylvania desperately need the State's assistance on the same kind of project, and I want to see the State make a commitment similar to the kind of commitment that has been made in the southeast for that project.

I rise to talk about that, Mr. President. We have a convention center that is simply uncompetitive. It is a guppy in comparison to what Philadelphia has, in comparison to what 50 other cities in this country have, and it is hurting the economy of southwestern Pennsylvania. So, Mr. President, I rise to differ slightly with the Governor and to send a message, and I will do it in a more formal way, that if we are going to continue to talk about the privatization of the State Store issue, let us not do it in the same language with economic development projects for the southwest, when in fact that is not the discussion when we are talking about economic development projects in the southeast, because southwestern Pennsylvania sends taxpayer dollars to Harrisburg to the same degree as any other part of this State.

And if there is going to be a discussion on the privatization of the State Stores, put the bill on the floor of the Senate for a vote and let us deal with it separately and not with key economic development projects. I want to debate also. I want to debate a plan for the southwest, and I am sure my colleagues in this Chamber want to debate, but I do not want to debate it

with another issue that is of great controversy in this Chamber and the other Chamber across the hall. And that is the tone that I read in this article, Mr. President, and quite frankly, I disagree with it.

Thank you.

### **SB 950 AND HB 440 TAKEN FROM THE TABLE**

Senator LOEPER. Mr. President, I move that Senate Bill No. 950, Printer's No. 1484, and House Bill No. 440, Printer's No. 2471, be taken from the table and placed on the Calendar.

The motion was agreed to.

The PRESIDENT. The bills will be placed on the Calendar.

### **SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR TIMOTHY F. MURPHY PRESENTED TO THE SENATE**

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

Senator MURPHY. Mr. President, I want to ask acknowledgment from the Members of Senate for a ninth grade class from Upper Saint Clair High School. They are here with their teacher, Mr. Fred Wickstrom, visiting the Capitol today. They are: Kevin Aubele, Joey Beardsley, Adam Blanco, Joshua Bobrowsky, Meredith Clark, Aaron Dougherty, Emily Gilbert, Ryan Glinka, Keith Hartman, Keegan Heise, Amelia Higginbotham, Kayti Jurcic, Kris Kramer, Teri Lekse, Jon Nader, Nat Meerstein, Matt Miner, P. J. Mobberley, Chris Morgan, John Moritz, Mike Mullen, Brian Myers, Katie Palermo, Sam Reid, Adam Vicarno, Anthoni Zangrilli. The chaperones are Nancy Dombrowsky, Patti Zapp, and Ron Smith.

I had the opportunity to speak to these students a few weeks ago in their class, and I might add that their questions were as tough as any press conference, and they are to be commended for that.

Finally, they represent a high school that just became the WPIL champions in our area. We look forward to playing any other Senator's team in this Chamber and finally becoming a State champion, so I beg your indulgence in welcoming them here.

The PRESIDENT. The Chair welcomes our special student guests.

(Applause.)

### **PETITIONS AND REMONSTRANCES (Continued)**

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

Senator HART. Mr. President, I rise today simply to remind my colleagues to take some time and I ask that they think about the upcoming holiday this week. We are adjourning one day early, Mr. President, in honor of the Thanksgiving holiday. I think many of us are not aware that the Thanksgiving holiday was actually something that began with a declaration by Abraham Lincoln in 1863. Lincoln actually made the first holiday message for Thanksgiving, I suppose we could call it, declar-

ing Thanksgiving to be a national holiday in 1863 in the midst of the Civil War.

Mr. President, at times we in the legislature believe that we are in the midst of some pretty serious battles. However, it was very clear that at that time President Lincoln and the United States were in the throes of a much more serious battle, the Civil War.

Mr. President, I thought it was important to quote several of his words to bring to mind the importance of the holiday and also to remind us of the blessings that we have here in this Commonwealth. Mr. Lincoln said that we have been the recipients of the choicest bounties of heaven. We have been preserved these many years in peace and prosperity. We have grown in numbers, in wealth, and in power as no nation has ever grown, but we have forgotten God, we have forgotten the gracious hand that preserved us in peace and multiplied and enriched and strengthened us, and we have vainly imagined in the deceitfulness of our hearts that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us.

Mr. President, I believe that those words are things that we all should ponder at this time of Thanksgiving, and I hope that those words will lead us to be more thankful for what we have and also lead us to a more cooperative spirit in the Commonwealth.

Thank you, Mr. President.

### **HOUSE MESSAGE**

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 55**.

### **BILLS SIGNED**

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

**HB 55, HB 141 and HB 1027.**

### **ADJOURNMENT**

Senator HART. Mr. President, I move that the Senate do now adjourn until Monday, December 8, 1997, at 2 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 12:35 p.m., Eastern Standard Time.