

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, FEBRUARY 3, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 9

SENATE

WEDNESDAY, February 3, 1999

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

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

PRAYER

The Chaplain of the Senate, Hon. MARK R. CORRIGAN, offered the following prayer:

Heavenly Father and God, hear us again this day as we pause to seek Your favor and blessing upon the Members and staff of this Senate. Visit each of us with Your presence, that we may discharge our duties responsibly. Keep us all conscious that we are not only servants of men but also servants of You, our God, and may our records to both prove acceptable always. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of February 2, 1999.

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF AUCTIONEER EXAMINERS

February 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard W. Godshall, M.D. (Public Member) 200 Fairhill Road, Hatfield 19440, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the

State Board of Auctioneer Examiners, to serve for a term of three years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frank A. Itgen, Jr., Bryn Mawr, deceased.

THOMAS J. RIDGE Governor

HOUSE MESSAGES

HOUSE RESOLUTION FOR CONCURRENCE

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

February 3, 1999

HR 13 -- Committee on Environmental Resources and Energy.

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:

Weekly 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:

February 3, 1999

Senator HELFRICK presented to the Chair SB 256, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the compensation of the director and other personnel of the Pennsylvania Game Commission.

Which was committed to the Committee on GAME AND FISHERIES, February 3, 1999.

Senators EARLL, WHITE, SALVATORE, CORMAN, COSTA, LEMMOND, LAVALLE, WAUGH, GERLACH, MELLOW, SCHWARTZ and SLOCUM presented to the Chair SB 257, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for account information.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 3, 1999.

Senators HART, CONTI, CORMAN, COSTA, MUSTO, GERLACH, WHITE, PICCOLA, SALVATORE, BELL, WAUGH, PUNT, ARMSTRONG, O'PAKE, SLOCUM, EARLL, ROBBINS, RHOADES, GREENLEAF and BOSCOLA presented to the Chair **SB 285**, entitled:

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

Which was committed to the Committee on FINANCE, February 3, 1999.

Senator SALVATORE presented to the Chair **SB 286**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for limitation of damages in certain vehicular actions.

Which was committed to the Committee on BANKING AND INSURANCE, February 3, 1999.

Senator GERLACH presented to the Chair **SB 295**, entitled:

An Act providing for the regulation of home improvement contracts and for registration of certain home improvement contractors; prohibiting certain acts; prescribing requirements for home improvement contracts; establishing the Home Improvement Guaranty Fund; and providing for claims against the fund and for the offense of home improvement fraud.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 3, 1999.

Senators GERLACH, HART, MOWERY, WHITE, SLOCUM and WAUGH presented to the Chair **SB 302**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, authorizing school districts to impose a tax on personal income; and further providing for adoption of referendum relating to taxes, for local tax study commission, for the maximum rate of the earned income and net profits tax, for disposition of tax revenue and for register for taxes.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators GERLACH, HART, MOWERY, WHITE, SLOCUM and WAUGH presented to the Chair **SB 303**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for exclusion for homestead property and for adoption of referendum relating to taxes.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators GERLACH, HART, MOWERY, WHITE, SLOCUM, WAUGH and THOMPSON presented to the Chair **SB 304**, entitled:

An Act authorizing counties to impose sales, use, occupancy, personal income or earned income and net profits taxes; empowering municipalities and school districts to require county sales and use taxes; and providing for the powers and duties of the Department of Community and Economic Development, the Department of Revenue and the State Treasurer.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators CONTI, GERLACH, MOWERY, ARMSTRONG, MUSTO, PUNT, TOMLINSON, WHITE, STOUT and BRIGHTBILL presented to the Chair **SB 306**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for imposition of tax and for the rate of inheritance tax.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators CONTI, HELFRICK, COSTA, STAPLETON, THOMPSON, GERLACH, SCHWARTZ, KASUNIC and O'PAKE presented to the Chair **SB 308**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for the disposition of cigarette tax revenues.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators CONTI, TOMLINSON, MOWERY, STAPLETON and RHOADES presented to the Chair **SB 309**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for certain employment by annuitants.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators CONTI, ROBBINS, TOMLINSON, STAPLETON, MELLOW, WAGNER, KASUNIC, SCHWARTZ and RHOADES presented to the Chair **SB 310**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, TOMLINSON, WAUGH and STOUT presented to the Chair **SB 311**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further defining "income" for personal income tax purposes to include a deduction for vehicle emission compliance standards.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, THOMPSON, TOMLINSON, WAUGH and STOUT presented to the Chair SB 312, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing a sales tax exemption for vehicle emissions diagnostic equipment.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, TOMLINSON and STOUT presented to the Chair SB 313, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing a sales tax exemption for the cost of parts and labor necessary for a motor vehicle to comply with emissions inspection standards.

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, THOMPSON, WAUGH, SCHWARTZ and STOUT presented to the Chair SB 314, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for periodic vehicle inspection.

Which was committed to the Committee on TRANSPORTATION, February 3, 1999.

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, TOMLINSON and STOUT presented to the Chair SB 315, entitled:

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

Which was committed to the Committee on FINANCE, February 3, 1999.

Senators GERLACH, MOWERY and KASUNIC presented to the Chair SB 316, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for damages resulting from computer date failure; and further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

Which was committed to the Committee on COMMUNICATIONS AND HIGH TECHNOLOGY, February 3, 1999.

Senators PICCOLA, JUBELIRER, MURPHY, GREENLEAF, TOMLINSON, SALVATORE, TARTAGLIONE, O'PAKE, THOMPSON, HELFRICK, STAPLETON, COSTA,

KASUNIC, TILGHMAN, WAGNER, HOLL, GERLACH, FUMO, BOSCOLA, WAUGH, DENT, MUSTO, WOZNIAK, MELLOW, HART, SCHWARTZ, ROBBINS, WENGER, STOUT, BELAN, BELL, RHOADES and SLOCUM presented to the Chair SB 317, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protection from abuse; and providing for appointing guardians for care-dependent persons.

Which was committed to the Committee on AGING AND YOUTH, February 3, 1999.

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:

February 2, 1999

Senators LAVALLE, KUKOVICH, WAGNER, STAPLETON, BELAN, ROBBINS, MELLOW, KASUNIC, TARTAGLIONE, COSTA, MUSTO, O'PAKE, SLOCUM, TOMLINSON and STOUT presented to the Chair SR 14, entitled:

A Resolution urging Congress to immediately enact legislation that will authorize the citizens of the United States who are affected by this federally mandated program to deduct the cost expense of complying with Federal vehicle emissions standards when filing their Federal personal income taxes.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 1999.

APPOINTMENTS BY PRESIDENT PRO TEMPORE

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

Senator David J. Brightbill as a member of the Recycling Fund Advisory Board.

Mr. Morley A. Cohn as a member of the Pharmaceutical Assistance Review Board.

Mr. Thomas J. Judge, Sr., as a member of the Medical Professional Liability Insurance Catastrophe Loss Fund Advisory Board.

APPOINTMENT BY MAJORITY LEADER

The PRESIDENT. The Chair wishes to announce the Majority Leader has made the following appointment:

Senator Stewart J. Greenleaf as a member of the Board of the Southeastern Pennsylvania Transportation Authority.

APPOINTMENT BY MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Senator Michael A. O'Pake to serve on the Pennsylvania Commission on Crime and Delinquency.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider certain nominations.

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request a legislative leave on behalf of Senator Salvatore.

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

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a legislative leave for Senator Costa.

The PRESIDENT. Senator Mellow requests a legislative leave for Senator Costa. Without objection, that leave is granted.

LEAVE OF ABSENCE

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

CALENDAR

THIRD CONSIDERATION CALENDAR

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

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

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

Considered the 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

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR JAMES J. RHOADES
PRESENTED TO THE SENATE**

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

Senator RHOADES. Mr. President, Senator Lemmond has allowed me a very special privilege today to introduce two of his constituents. With us here in the gallery are two educators from Wyoming Valley West. One is Molly O'Connell-Phillips, who is a member of the State Board, but I am going to say that more importantly she is the daughter of our former Senator Frank O'Connell. With her is Lynn Smith, who is also an educator from the Wyoming Valley West District, and I would appreciate it if the Senate would recognize them and extend its usual warm welcome.

The PRESIDENT. Would our guests please rise so that the Senate may acknowledge you.

(Applause.)

The PRESIDENT. We welcome you to the Senate.

**GUESTS OF SENATOR CHARLES D. LEMMOND
PRESENTED TO THE SENATE**

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

Senator LEMMOND. Mr. President, ever since I have been here we have tried to establish an arts center in the Poconos. With the cooperation of Pittsburgh, which not only has the Steelers and the Pirates, it may be that the Pittsburgh Symphony will be visiting in the Poconos as a guest of the Keystone Center of Music and Arts on a permanent basis.

The leaders of that Keystone Center are with us today. I would like to present to the Senate the president, Mr. Elliott Rossoff, who is a world-renowned recording artist; Nat Gliserman, who has arranged concessions and services for three Olympics; John Klemeyer, who is one of the top attorneys in the Poconos; and Nick Niles, who is the former president of Sporting News and Golf magazines. They are members of the board of directors of the group that will be doing the business, and I am delighted that they are here. I present them to you, and I hope that we can welcome them this morning.

The PRESIDENT. Would our special guests please rise so that the Senate may extend to you its usual warm welcome.

(Applause.)

RECESS

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

Senator LOEPER. Mr. President, at this time I request a very brief recess of the Senate for the purpose of a meeting of the

Committee on Rules and Executive Nominations to be held 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 following this announcement, this Senate stands in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Appropriations to meet during today's Session in the Majority Caucus Room, commencing at 1 p.m., to hold budget hearings on the PUC, the Consumer Advocate, and the Small Business Advocate.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 173, SB 174 and SB 231 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

UNFINISHED BUSINESS REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator LOEPER, 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 PENNSYLVANIA COUNCIL ON AGING

December 16, 1998

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, George R. Gunn, Jr., Box 89, 1505 Valley View Drive, Gwynedd Valley 19437, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2000 and until his successor is appointed and qualified, vice Dr. Carl F. Odhner, Bethlehem, deceased.

THOMAS J. RIDGE
Governor

SECRETARY OF AGRICULTURE

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel E. Hayes, Jr., P. O. Box 120, Warriors Mark 16877, Huntingdon County, Thirtieth Senatorial District, for reappointment as Secretary of Agriculture, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

December 16, 1998

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph M. Pascuzzo, D.O., 2138 Wehr Mill Road, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Helen M. Whitaker, Bethlehem, resigned.

THOMAS J. RIDGE
Governor

SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel A. McCullough, 838 Old Lauer's Lane, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for reappointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

SECRETARY OF CONSERVATION AND NATURAL RESOURCES

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John C. Oliver, III, Scaife Road, Sewickley 15143, Allegheny County, Forty-second Senatorial District,

for reappointment as Secretary of Conservation and Natural Resources, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE CONSTABLES' EDUCATION
AND TRAINING BOARD**

December 14, 1998

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Anderson, 410 Parsonage Street, Pittston 18640, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Constables' Education and Training Board, to serve for a term of three years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

SECRETARY OF CORRECTIONS

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Martin F. Horn, 2007 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as Secretary of Corrections, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

SECRETARY OF EDUCATION

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Eugene Welch Hickok, Jr., Ph.D., 127 Conway Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as Secretary of Education, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

SECRETARY OF ENVIRONMENTAL RESOURCES

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James M. Seif, Esq., 5401 Oxford Drive, #11, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as Secretary of Environmental Resources, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

SECRETARY OF GENERAL SERVICES

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary E. Crowell, 857 Hillside Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as Secretary of General Services, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD OF
OSTEOPATHIC MEDICINE**

December 14, 1998

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, Jack D. Albert, 4366 Kenson Drive, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

**COMMISSIONER OF THE PENNSYLVANIA
STATE POLICE**

January 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Colonel Paul J. Evanko, 1131 Elizabeth Court, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as Commissioner of the Pennsylvania State Police, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE REAL
ESTATE COMMISSION

December 17, 1998

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, Beverly R. Brookes (Public Member), 2 Concord Way, Chadds Ford 19317, Chester County, Ninth Senatorial District, for appointment as a member of the State Real Estate Commission, to serve until June 10, 2002, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Ottaviano, Jr., Haverford, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE REAL
ESTATE COMMISSION

December 16, 1998

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, Colleen Christy, 503 Mohawk Avenue, Warren 16365, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Harvey M. Levin, Philadelphia, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE REAL
ESTATE COMMISSION

December 18, 1998

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, Frances A. Mansberger (Public Member), 1205 Sipe Road, York Haven 17370, York County, Thirty-first Senatorial District, for appointment as a member of the State Real Estate Commission, to serve until March 12, 2001, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Susan Bicket, Esq., Pittsburgh, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING

December 14, 1998

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, Sonya Wilt, 262 Leech Road, Greenville 16125, Mercer County, Fiftieth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Elsie L. Hazel, Yeagertown, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THADDEUS STEVENS COLLEGE OF TECHNOLOGY

January 6, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark C. Aho, 331 Carter Moir Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice Gervase G. Schmitt, Lancaster, resigned.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

Senator LOEPER. 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.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Daniel Poiesz by Senator Bell.

Congratulations of the Senate were extended to Vincent J. Tallarico III by Senator Boscola.

Congratulations of the Senate were extended to David P. J. Hoy by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Bruno Pacini by Senator Costa.

Congratulations of the Senate were extended to Alleen Peters by Senator Dent.

Congratulations of the Senate were extended to Matthew Niebauer by Senator Earll.

Congratulations of the Senate were extended to Bryan Kulp and to Henry Ulrich by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Zygmunt Bombalski, Thomas P. Conroy, Sr., Edward Svitek, Paula A. Curtis, Chad Ryan, Adam Ticciafocco and to the Highlands High School Football Team of Natrona Heights by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Peter J. Kijewski and to Mr. and Mrs. Albert Francis Everett by Senator Helfrick.

Congratulations of the Senate were extended to Christopher George Witmayer, Brian Dickel, Steven McIlhenny and to the Penn Foundation of Sellersville by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Dodson, Mr. and Mrs. Richard H. Davis, Mr. and Mrs. William Rodgers, Mr. and Mrs. Abram E. Huntsman, Mr. and Mrs. Quentin E. Johnson, Mr. and Mrs. Dean Gates and to Mr. and Mrs. Theodore Sleek by Senator Jubelirer.

Congratulations of the Senate were extended to Virginia B. Paxson by Senator Loeper.

Congratulations of the Senate were extended to Pearl Umbrell and to Andrew Hall by Senator Mowery.

Congratulations of the Senate were extended to Noah A. Sweitzer and to Jarrod J. Menta by Senator Musto.

Congratulations of the Senate were extended to Boy Scout Troop 377 of Stony Creek Mills by Senator O'Pake.

Congratulations of the Senate were extended to Sam Weiss, Claudette Dagorn, Honorable Irene M. Hudasky, Corey Derr and to Anna Bolish by Senator Rhoades.

Congratulations of the Senate were extended to Eugene John Bocan III and to Pauline A. Stainbrook by Senator Robbins.

Congratulations of the Senate were extended to Helen Comly Biddle by Senator Salvatore.

Congratulations of the Senate were extended to Alice B. Watson, Jeanne S. White, Marian L. Lewis, William A. Lambert, Sr., Priscilla C. Stokes, Ervin W. Lewis, Ruben Robinson, Jr., Robert Durborow and to James Little by Senator Thompson.

Congratulations of the Senate were extended to Gerald Graham by Senator Tomlinson.

Congratulations of the Senate were extended to Herman and Lois Knell by Senators Wagner and Murphy.

Congratulations of the Senate were extended to Joseph Hicks by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald A. Coleman, Mr. and Mrs. Harold Roos, Sr., Mr. and Mrs. Clair Yingling, Mr. and Mrs. Orrin L. Bortot, Mr. and Mrs. Howard McNeel and to Mr. and Mrs. Harold Hoffman by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late James Mazzotta by Senator Hart.

Condolences of the Senate were extended to the family of the late Amos C. Davis, Jr., by Senator Jubelirer.

RECESS

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

Senator LOEPER. Mr. President, at this time, for the information of the Members, and I believe that Senator Mellow may

have a request also, I would make a request that the Senate stand in recess to the call of the Chair.

For the information of the Members, I anticipate the House will begin action on Senate Bill No. 10 at approximately 1 p.m. this afternoon, and I ask the Members to be prepared that we recall the Senate upon completion of the action of that bill over in the House of Representatives. Mr. President, I am never a good estimator of time on those kinds of things. However, I suggest it would probably be in the 4 p.m. to 5 p.m. range.

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

Senator MELLOW. Mr. President, I thank the gentleman for his information, and I ask the Democratic Members of the Senate to report to our caucus room in the rear of the Chamber immediately upon the recess of the Session.

The PRESIDENT. The Senate stands in recess to the call of the Chair.

AFTER RECESS

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 10, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

RULE XIV SUSPENDED

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

Senator LOEPER. Mr. President, I move to suspend Rule XIV to the extent that it requires that Senate Bill No. 10 be referred to the Committee on Rules and Executive Nominations, and that Senate Bill No. 10 be placed on a Supplemental Calendar.

The PRESIDENT. Senator Loeper moves to suspend Senate Rule XIV in order for Senate Bill No. 10 to move right to today's Calendar.

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-49

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

Fumo
Gerlach

Madigan
Mellow

Stapleton
Stout

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 10 (Pr. No. 313) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for borrowing for capital facilities; conferring powers and duties on various administrative agencies and officers; making appropriations; and making repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 10?

Senator LOEPER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 10.

On the question,

Will the Senate agree to the motion?

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

Senator LOEPER. Mr. President, throughout the many months of debate on raising the redevelopment assistance cap, I believe one thing has become very clear: Almost everyone has a strong opinion about whether Pennsylvania should play a role in funding the construction of new sports stadiums, as well as raising the redevelopment assistance cap. I think, Mr. President, that our goal throughout this often contentious debate has been to find a middle ground on the issue, a way to save not only our sports teams in Pennsylvania but also to fund important economic development projects and, most importantly, to provide taxpayer protections.

Today, Mr. President, we have such a plan before us, a compromise that makes a wise investment in our State's future and a sound investment in our economy. Mr. President, I think, most of all, the bill before us does one most important thing, and that is to create new redevelopment assistance projects across this Commonwealth without leaving the taxpayers holding the bill. I believe that it also benefits many of our communities well beyond Pittsburgh and Philadelphia by funding a wide range of economic development projects across this State, such as industrial parks, convention centers, and cultural attractions. The revised plan provides a helping hand from the State.

I think, Mr. President, that the proposal is good for our residents who do not want to see their sports teams or franchises move out of Pennsylvania. I think we all recognize that local economies gain from the jobs and revenues that our professional sports teams provide, and they recognize that this proposal is also good news for the many communities which benefit from

the economic development projects, thanks to raising the redevelopment cap and reducing the cost requirements for individual projects.

Mr. President, I would also just like to take a moment to thank the leadership here in the Senate, Senator Mellow for his efforts, as well as the leadership in the House of Representatives with Representative Perzel and Representative DeWeese, all of us working in a bipartisan fashion with the Governor in order to forge a compromise that really is in the best interests of all Pennsylvania citizens, and I believe one that will provide many returns for our residents as we move toward the future.

Mr. President, I urge an affirmative vote on Senate Bill No. 10.

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

Senator MELLOW. Mr. President, I also rise in support of Senate Bill No. 10. Mr. President, this is a process that was started many, many months ago in the General Assembly, and finally today it will be brought to a successful conclusion. Mr. President, it was back on November 24 of 1998, just several months ago, when the Members in this Chamber voted by a vote of 29 to 19 to bring this about prior to the conclusion of last year's Session. Unfortunately, Mr. President, at that time there were some concerns over in the House of Representatives, and in fact the stadium bill did not pass.

But, Mr. President, this is more than a stadium proposal. This is more than a bill for just the city of Philadelphia and Allegheny County and the city of Pittsburgh. This is a proposal that I quite frankly believe deserves very strong bipartisan support because of what it means to all of Pennsylvania. Mr. President, if you just look at the history of Pennsylvania and put into that the history of what it means to have these four teams in Pennsylvania, it is absolutely incredible. The Pittsburgh Pirates, the Pittsburgh Steelers, the Philadelphia Phillies, and the Philadelphia Eagles are the original major league franchises in the National Football League and in major league baseball in the National Baseball League.

Mr. President, not only is it important that we keep them there, but for the perception of Pennsylvania in the future it is equally as important that we do everything we can to give them the type of facility where they can play and we can enjoy watching them over the next 30 years, or hopefully more, in Pennsylvania. Also, Mr. President, the way I view this, this is not only the construction of a stadium where people will be put to work--our unions in Pennsylvania will greatly benefit from this--but equally as important, this is a major industrial development improvement in Pennsylvania because it is going to guarantee for many years to come that we in Pennsylvania rightfully will maintain our position as the Keystone State. It would be unfortunate with the tradition and the richness of our tradition in Pennsylvania if we would lose one of those four teams because of a lack of action in this particular body or in the House of Representatives.

Mr. President, the only concern that I do have, and I think it is very important that we put it on the record, is concern about the Steel Procurement Act, because it has been said over and over for the last few days that perhaps there may be a problem

with Pennsylvania steel being used in the construction of these four stadiums. Mr. President, I believe it is the intention of this General Assembly that the provisions and the requirements of the Steel Procurement Act in Pennsylvania apply to the construction of the stadiums not only in Philadelphia but also in Pittsburgh and any other stadium or any other arena or any other project under the auspices of Senate Bill No. 10, and it is incumbent that Pennsylvania steel must be used. I think, Mr. President, that the legislature, in its wisdom, believes that. I think that the legislation when we passed the Steel Procurement Act would imply that that must take place.

So, Mr. President, I totally support and very strongly urge the passage of this bill. I would like to congratulate Senator Loeper and Senator Jubelirer in showing leadership to make sure that this day would be here today and that we will finally get on to the next important issue by having Senate Bill No. 10 behind us and the funding of these two stadiums and many, many more projects, because this is not only the funding of four stadiums, this is the funding of many projects including some I am sure that can be considered as public works projects in Pennsylvania that will benefit all the people of Pennsylvania, and I am proud to have been able to play just a small part in that.

Thank you very much, Mr. President.

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

Senator STOUT. Mr. President, I am glad that my leader, Senator Mellow, brought up the question of the steel procurement for these new stadiums in Pennsylvania that will be funded through Senate Bill No. 10. This was a great concern to people in southwestern Pennsylvania, not only the steel for these structures but also in the area of specialty steel, because in southwestern Pennsylvania we have many producers of specialty steel, stainless steel, which will be used in a lot of the food preparation and the laundries in connection with these stadiums. So I am glad to know that the Steel Procurement Act will have an impact on what type of steel is used in these structures as an investment.

This is really an investment in the future of Pennsylvania. Last week, along with my colleague Senator Madigan—we both serve on the Senate Committee on Transportation—we voted to invest \$26.7 billion, that is billion dollars, over the next 12 years in the highway and bridge system in the Commonwealth, and what an impact that will have on the future transportation needs, not only of highways and bridges and rail and airports but really for the future of Pennsylvania, and I consider today the legislation contained in Senate Bill No. 10 likewise a major investment in the future of Pennsylvania. For the quality of life here in the Commonwealth we need to have these facilities and teams in place so we can attract tourism for the business improvement and attract people and investment in the Commonwealth.

So I again thank Senator Mellow for his commitment about the Steel Procurement Act, and I think this is a wise decision to move forward and pass Senate Bill No. 10.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator LaValle.

Senator LaVALLE. Mr. President, just to be on the record, I have been consistently opposed to using public funds for financing stadiums, and I have been opposed mainly because I have taken some time to look at a number of studies and the conclusions of those studies, and some very reputable studies have indicated very clearly that the economic growth that people suggest occurs because of public funding for stadiums or other kinds of entertainment facilities just does not occur. I would rather have people stand up and tell the public we are going to put your money into these kind of facilities, but the studies that are out there, and I consider them legitimate studies and not from some radical group, say that that kind of economic growth is insignificant at best and in some cases has been a detriment.

Let me get on to the issue of what has happened here today, what happened in the House and all the wonderful speeches I heard in the House about how we have changed this thing now to give some folks some cover so that they can look at this as a loan. Let me make it very clear, Mr. President, in my district a loan to the people I represent is where you go to the bank, you borrow money, and at some given time you reach in your checkbook or in your pocket and you pay that money back. It is my understanding that no matter how they spin it, the teams who are going to benefit the most from these so-called loans are not going to pay it back. It is going to be a combination of some tax credit. And for me to go home and insult my constituents by telling them, you were opposed to public funding overwhelmingly for stadiums but I am going to tell you it is okay because it is a loan, and let me quote from the Governor's spokesperson, the same person who told me not too long ago that I was being rather political in demanding from the Governor that he tell us why he spent \$150 million to buy out a contract with Envirotec, that was political. This is the same spokesperson who was quoted in the Tribune-Review as saying today, in Brad Bumsted's column, "It is a grant, but a very different kind of grant." When you give someone money and have a guarantee that you get it back, there are a lot of folks who think of it as a loan. The proposal is technically not a loan, although it looks like one. It sounds like what the Majority Leader in the House described I believe a little while ago as a hybrid kind of thing, made up differently.

Let us tell folks what it is. We are not giving these folks a loan, we are giving them a grant that they are not going to pay back. It is exactly what people said they did not want to do. And if people in this General Assembly need some kind of cover, let us do what the owner of the Chicago White Sox said—and he is an owner—that if you cannot justify expending this money on merit, you can do it psychologically, and that is what this is all about. The Steelers, the Pirates, the Eagles, whomever, they are going to leave town in the event that they do not get what they want.

Very frankly, I am not going back to tell my constituents that we are loaning this money because it is not a loan as my people know it. My people who make loans pay it back. These folks are not paying it back with money out of their pockets.

Thank you, Mr. President.

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

Senator HART. Mr. President, I rise in support of the proposal for a lot of reasons, and some have been echoed by my colleagues on the floor and I will not belabor the point. But, Mr. President, those who continue to fail to support this proposal still bewilder me, and I believe that we need to touch on an issue that a lot of us may not have thought about regarding this proposal.

Mr. President, a little over a year ago I unfortunately missed the discussion on the floor about increasing the gas tax, and a lot of people discussed why it was important for us to proceed with this because we needed the road infrastructure in the Commonwealth because it would help us be more competitive because it would help our economy. Mr. President this is simply a vote to support a different type of infrastructure here in the Commonwealth. It is a vote to help make the Commonwealth of Pennsylvania competitive. We are not competitive, Mr. President, in the types of infrastructure that this will help us fund. It is the infrastructure for community development. It is the infrastructure that will help some of the smaller counties now that we have allowed smaller projects to be funded by this fund. That is, you do not have to be a team owner in Pittsburgh or Philadelphia to access the moneys that are being offered here.

Mr. President, this is a bill that will help all the communities in the Commonwealth to become more attractive, more competitive, and obviously more economically strong, because one of the reasons why people seek out the Commonwealth is because of its quality of life. Unfortunately, our quality of life has not been as competitive with other areas as it should be, and we have not invested in our infrastructure, our community infrastructure. And, Mr. President, though I am supportive of this for a lot of reasons, the most important reason is that we will invest back into the community infrastructure of Pennsylvania.

It is important, additionally, that we support this proposal because it does offer to us the opportunity to maintain some of our strengths. As we debated this issue last fall, I believe I added that one of the most important identities for two of our largest cities in the Commonwealth is that they are sports towns. Mr. President, losing those identities would be extremely harmful not only to Philadelphia and Pittsburgh but to the areas that surround them. Mr. President, that means all the counties that surround those cities.

So I implore my colleagues, especially those who live around those two major cities, to reconsider if they are considering casting a "no" vote today, because without those core cities and without the vibrancy of those core cities those cities will not survive. Mr. President, we are voting today on a bill that will help us to retain those teams. We are voting on funds that will help us to build four stadiums in the Commonwealth. But, Mr. President, we are also, and most importantly, voting to continue to care about our communities and the infrastructure in those communities, whether it be Pittsburgh, Philadelphia, State College, Johnstown, Scranton, or Erie.

Mr. President, these types of votes I am sure are very difficult for a lot of my colleagues. They are very difficult for me as well, and I have heard many mixed opinions from my constituents and people all over the Commonwealth. But, Mr. President, our job here today, as was quoted by Tom Waseleski in the Post-

Gazette on Sunday, is to decide whether we are leaders or whether we are going to stick to a principle that may not apply in the real world. Mr. President, I believe that our constituents elected us to come here today to be leaders, and I will cast a "yes" vote today and go home hopefully with a victory and hopefully with a victory as a leader.

Thank you, Mr. President.

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

Senator WAGNER. Mr. President, I rise in support of Senate Bill No. 10 and ask my colleagues for their affirmative vote on a very, very important piece of legislation, something that is critical to the future of every community and every county in the entire State of Pennsylvania. Mr. President, this issue, the way I look at it anyway, is an issue about whether we are pessimistic about Pennsylvania or optimistic about Pennsylvania, whether we want to see Pennsylvania remain stagnant, go backwards, or move forward. Mr. President, this is a very, very important issue about our children and, as importantly, about our future, and I look at both our children and our future synonymously because they fit well together.

Mr. President, this is not raising taxes. This is about the State increasing its borrowing limit for a multitude of projects, as we all know. Yes, there are stadiums that are part of this proposal. There are also industrial sites. There are business parks. There is infrastructure. There are historical projects and cultural projects scattered throughout Pennsylvania, all of which are extremely important to the economy of this Commonwealth, to the future of this Commonwealth, for the creation of jobs in Pennsylvania, at least 10,000 jobs, Mr. President.

Mr. President, this proposal is somewhat different than the one we had in front of us back in November that this body approved, and I supported that and I spoke at great length in support of that proposal at that time. The proposal in front of us today is better than the one we voted in the affirmative 3 months ago. Therefore, I would expect it would receive the same kind of support here in this Chamber. And, Mr. President, I do not intend to speak at the same length I spoke about the previous proposal, but I simply want my colleagues to realize it is just not about stadiums in Pittsburgh and other development projects, it is about a convention center that is part of Plan B that is a critical piece as part of our economic development plan for southwestern Pennsylvania, a project that is simply not a convention center but will generate thousands of new jobs for Pittsburgh and southwestern Pennsylvania, a project that will bring new hotels, as it has done in Philadelphia with the new Pennsylvania Convention Center in Philadelphia.

As I indicated when I previously spoke, there is a statistic in Pennsylvania of which I am very proud that we lead the country in out of all 50 States, and that is that 80 percent of the people who are Pennsylvania residents were born here. That is a higher percentage than any State in this country. The lowest State is Florida at 25 percent. I mention that because this proposal is about keeping a lot of things that we have, things that we do not want other States taking from us, certainly professional sports teams but also businesses by us investing in these industrial sites, business parks, and infrastructure projects.

So, Mr. President, I will summarize simply by asking my colleagues to please support this very important piece of legislation and to say again that it is about our future and it is about our children. Our children represent 25 percent of our population, but they are 100 percent of our future. And if we cannot invest in ourselves for our children, what can we do?

Thank you, Mr. President.

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

Senator BELL. Mr. President, I am going to vote "no" on this bill, but as my good friend Senator Fumo once said, can you count? I can count. And I think the proponents have about 35 votes in here.

Now, I am going to take a third side. I watched Governor Ridge talk to my brothers in the building trades yesterday, or was it the day before? Days move fast up here. And he promised the Pennsylvania building trades they would have the jobs. The building trades almost changed my vote from "no" to "yes," but I had about 2,000 communications in my district that kept me "no." I am now going to ask the floor leaders of this Senate and the floor leaders of the House to pledge that the jobs will go to the building trades of Pennsylvania.

Thank you.

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

Senator RHOADES. Mr. President, agreeing with the previous speaker, I think the die has been cast and everyone knows the status of this bill. And I think the numbers 33 to 35 are just about right.

But I find it difficult to support a bill when I have to go back to my home county of Schuylkill with 6 percent unemployment, Carbon with 6.2 percent unemployment, and Monroe with 5.9 percent unemployment, where we rank 50, 54 and 47 out of the 67 counties, and tell them about putting about \$320 or \$350 million into stadiums is going to improve our status. It is not. Perhaps some of the other parts of it may, but this will not. I find that extremely difficult to do and so do my constituents.

Out of the Pottsville Republican, most callers oppose aid to stadiums. Out of the 10 calls here, one supports it very plain and simple. The rest of them said no. As one person said, and I think he put it very appropriately, let us be a minor league sports State but a major league player in job creation and industrial and financial development. Maybe that is the way I want to hit it. Now others may disagree and assume that is how it is going to occur. I say, fine.

I look at Philadelphia, and I stood here with the rest of my colleagues when we were threatened that Philadelphia would be shut down because they did not have enough money for their schools. I stood here when we were threatened with lawsuits and said we do not have enough money, we are not going to do it, we are going to give you some harsh legislation, and we did. We could not find for them for buildings that were over 100 years old, but yet we can find for stadiums. I think it sends the wrong kind of message.

Wishing and trying to get action on a coal-to-gas liquification plant. First in the United States. We have the world technology available which would turn our coal, our natural

Pennsylvania resource, into gas, one plant with 150 jobs. I am sorry, they do not get \$70 million contracts. They earn wages like everybody else, but there would be 150 jobs that will stay there for the longest time. With the first plant that goes up I guarantee you there will be another 10 in a very short time. It also brings back something like \$8 million on reclamation. We cannot get it. Yet I still sit on PHEAA and tell the kids we will give you 5 percent more, but make sure you pay it back with 8 percent interest.

I think the other thing that really convinced me not to support this measure, and you know, I have not been accused of being a conservative, but the Heritage Foundation Background Executive Summary and the Commonwealth Foundation, I would recommend to each and every one of you to read these, because I spent this afternoon doing that, and they have some very objective scientific measurements in here where they compared. They looked at Baltimore, they looked at Maryland, they looked at Virginia. The interesting thing is Maryland has gone out and put money in all of these projects, and the end result is, they said, "Baltimore continues to lose residents, jobs, and businesses, and today houses its smallest population since about 1915."

"Virginia's Approach. In contrast to Maryland's megaplex approach... Virginia focuses its financial resources and civic energy on providing better quality basic public services, including its substantial investment in higher education." The end result is "...five of Virginia's state-supported universities were ranked among the nation's top 25 public universities this year. No other state came close to its 20 percent share of top-rated institutions of higher education; Maryland saw only one of its state universities ranked in that select group."

It goes on to say, "Over the 12 months ending in July 1998, Virginia created 196,000 new jobs; Maryland created just 13,400, with an unemployment rate of 4.7 percent with Virginia's 3.0." When you look at that and then you look at the Commonwealth and what they have set about, unfortunately stadiums do not generate the type of economic development we want. They have scientifically done it, even the U.S. Senate held a subcommittee hearing on this. It is a psychological factor and the owners will admit to that.

I say if that is what it is going to take to support it and you believe that, then do that, but I think we make a mistake when we say this is a priority. I think priorities belong in education, job development, and technology development. I think the money would go a lot further. It certainly would help me. Instead of running with 6 percent and 6.2 percent unemployment, I would like to be down to 3.8 percent or 4.4 percent like everyone else.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, I guess a couple weeks ago we heard that refrain "Jobs for Philadelphians and jobs for Pennsylvanians" when we talked about building these stadiums. There were certainly a significant number of African-Americans in the community who held their breath and were hesitant to get on board this steamrolling locomotive that we see today. I was

in that group, but I also recognized that you cannot negotiate from a position of "no," you have to come to the table.

Historically in Philadelphia, and frankly for the first time in history that I am aware of in my lifetime, people are openly aware that the trades in Philadelphia have to become diversified. But equally as important, we are also aware that in Pennsylvania, and in particular Philadelphia, we will be building at a rate where we do not have the Pennsylvanians to do the building. So those who are going to stand before us today and talk about we need to invest money in something else because the return is not going to be as great, the reality is that your capital redevelopment assistance program is going to build something this year. If they build a highway, if they build an airport, they are going to build something. Someone is going to work, and at this rate Pennsylvanians are not going to be the ones working. People in Maryland, Delaware, and New Jersey will be the ones who will be building.

I am pleased to say that with the assistance of the mayor, Ed Rendell, this Governor, Tom Ridge, and Sam Staten and Pat Gillespie of the trades in Philadelphia, for the first time in the history of our county there will be an opening up through a training program with money which is committed by the Governor and money which is committed by the mayor to allow the educational facilities in Philadelphia to perform the vocational functions that they have performed in the past but allow, when we talk about jobs in Philadelphia, to allow it to not just be Alan but to allow it to be Ali, not to just be Johnny but Jamal. To be inclusive in the process and to be diversified in the process is most important to those of us who come from the African-American community, and we are appreciative of the political support that we have received so far.

The question is not complete. It has to now go from here to city council, and I want to make sure that no one thinks that we are sleeping, that no one in our community will go without this opportunity to pass in front of them. That means from the person who sweeps the dirt to the person who potentially can be the primary contractor of this process. We are all well aware of what this possibility means for building a new economy in North Philadelphia, southwest Philadelphia, and other parts of Philadelphia which are unemployed currently.

We are also aware that members of city council who traditionally do not talk to us are beginning to talk to us about our feelings about these issues. My own councilperson and I talked today at length about how we can construct it in a pragmatic and practical way so that people in our respective districts can go to work, can build, can be a vendor, can own part of that parking lot and do a variety of things.

We are also appreciative of the political support we are receiving to discuss these issues with the ownership, but we want to make it publicly clear that these questions still remain. Some answers to the program training and some entry-level apprenticeship jobs we are certain will come, but the larger money that will allow for a middle-class minority community, which is now modestly flat on its face, is the next step which we have to go. And I say these things publicly so that no one will doubt my commitment to my community.

I also want to make sure that it is clear that my dear friend, Ed Rendell, and my newly acquired friend, Governor Tom Ridge, are also partners in this process. Without their intrusion, without their insistence, without their nudging, these things cannot happen. I also want to conclude by thanking my dear friends in labor in Philadelphia County who are now bridging a gap which seemed like a chasm literally weeks ago, but now appears to be simply a puddle that we need to step across.

With those remarks I conclude, and I proudly stand in support of this particular piece of legislation. Thank you, Mr. President.

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

Senator ARMSTRONG. Mr. President, I do want to thank our leadership, who I think have done a fine job on working this out, and also Representative John Perzel in the House I think has worked hard on this and has come together with a very good proposal. I think we have all gotten a lot of calls on this, and I know in my district I probably got more calls on this issue than any issue I can remember. Nobody wants to help out these billionaire owners and these multi-millionaire players, but you know, that is the way the game is played, and if we do not do something, they will go to some other State. It would be nice if we had some Federal legislation that would limit the amount of taxpayer money that each stadium or each professional team could receive or maybe eliminate it entirely so that they could not receive taxpayer money. That would solve the problem, but unfortunately, that is not the way the game is played right now.

I did a little research city by city of all the professional teams, and I will not bore you with all of it, but you go through here from Anaheim, Baltimore, Chicago, Cincinnati, Cleveland, Denver, Houston, Miami, Milwaukee, New York City, San Diego, San Francisco, Seattle, they have spent anywhere from \$30 million to a billion dollars of taxpayer money attracting teams to their areas, from hockey teams to baseball teams to football teams, so it is big business and that is going to continue to go on until we have Federal legislation to stop it.

Now, years ago many of us supported a convention center down in Philadelphia, and my constituents took me to task on that and said, how can you support a big convention center in Philadelphia? It will be nothing but a white elephant. We have hotels now in Philadelphia that are in financial trouble. Now you will put \$180-plus million of our taxpayers' money into a convention center. It will be nothing but a white elephant. Well, what has happened is that it has been one of the most successful convention centers in the United States. Those hotels that were in trouble are now flourishing. They have built five or six new hotels, and I think five or six more are being built or are on the drawing boards. So things are happening in Philadelphia, and the nice thing about it is we are continuing to put more money down in Philadelphia to help them with their financial problems.

If you vote against this, you look good for the short term, but if these teams start pulling out of Pennsylvania and go somewhere else, your constituents will come up to you and say, we elected you to have some vision. You should have been able to see that this was going to happen 4 years down the road. You

did not see it, but that is what we elected you to do. If you vote for this Senate Bill No. 10, you look bad for the short term, but I think in the long term people will realize that was the correct vote and that it was right for Pennsylvania.

Thank you, Mr. President.

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

Senator PICCOLA. Mr. President, I rise in support of Senate Bill No. 10 and urge the Senate to adopt this piece of legislation. Last November when we debated a similar bill and passed that bill here in the Senate, shortly following that vote I received numerous inquiries from many of my constituents inquiring as to how I voted for it and asking for a justification of that vote. And among those numerous inquiries and comments, most of which I might add were contrary to my position, one lady wrote back to me, and she had known me for quite a number of years, almost since the beginning of my political career, and she expressed her sad disappointment in me claiming that I had become just another politician. And I thought to myself when I received that, if I were being just political about this particular vote I would have put my finger to the wind and saw how it was blowing and I would have cast a very safe "no" vote on this particular concept, this particular initiative.

When I first came to the General Assembly slightly more than 22 years ago, I had the opportunity and the honor of being counseled by a very wise Member of the General Assembly, the former Speaker of the House, K. Leroy Irvis, and I will never forget what Mr. Irvis told those of us who were in the freshman class of 1976. Many of the Members of that class are Members of the Senate today. And Mr. Irvis told us, always advocate for your district, always vote your district, but just remember, there are going to be occasions up here in Harrisburg when you must cast your vote for Pennsylvania, and this is one of those times that Mr. Irvis was talking about. This is a vote for Pennsylvania. It is not a vote for stadiums, it is not a vote for sports teams, it is not a vote for any one of the individual projects that have been discussed. It is a vote to create a pool of dollars so that we can use those dollars to invest in the infrastructure, to invest in the future of our State of Pennsylvania.

Now, during the last 4 or 5 years, this State has had momentum. We have been moving forward. We are no longer viewed by those outside of our borders as the Rust Belt State or a Rust Belt State. We have a better self-image because we are no longer looking at ourselves as a Rust Belt State or a declining State or one of those States in the cold northeast part of the country. We have to continue that momentum, and this vote for Pennsylvania will encourage that momentum, will continue that momentum. And I cannot agree more with some of the remarks of my colleagues who have demonstrated how we are going to make that investment, and I am not going to repeat that during my remarks, but remember, Mr. President, this is a vote for Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bradford, Senator Madigan.

Senator MADIGAN. Mr. President, I want to compliment our leadership, the Governor, and the owners of the teams who

worked out an agreement that I think makes it much easier for me to support this. I intend to support the concept, and I think we have made a step in the right direction in addressing many of the phone calls and letters that I have gotten.

But I want to pass on to you that a week ago when I left to drive to Harrisburg on Monday morning, in downtown Towanda, my hometown, an entire block was on fire, burning right in the heart of the business district. Three days later, in downtown Sayre, a similar situation happened. Last Friday I had the opportunity to meet with some of the business owners, our Main Street people, our county commissioners, our local development district, the Northern Tier Planning Commission, and our county planners, and I threw out a plan that pointed out that by reducing the amount from \$3 million to \$1 million for a project, that maybe it was time for the two communities and the county to sit down and look beyond insurance proceeds at how can we keep our downtowns vital, and they took that and ran with it. I met with them early Monday morning, and I am meeting with them when I go home.

Earlier in the day on Friday I had a call from our county regional arts director who had talked with Wyoming County and with Sullivan County, looking at how we can expand, and we have done very well in Bradford County. We have restored three theaters in three communities, we have gotten the cultural arts out to our young people, and the concept of putting a package together to participate in this. For me, it was one that I can use to justify my vote, because for all of us there is hardly a day that goes by that someone in our district does not come forward and ask if there is financial help for this project or another. Redevelopment assistance for the rural counties, the rest of Pennsylvania, really makes this very vital, and I am proud to be able to vote for this.

Thank you, Mr. President.

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

The PRESIDENT pro tempore. Mr. President, I know the hour grows a little late and Members want to go home, and I ask a little indulgence. It is a very significant issue, and I think the debate has been outstanding on both sides of the issue.

Mr. President, it was not too many years ago at an Olympic event, prior to the Olympics one of the great songs I think of our time came out sung by Whitney Houston called "One Moment In Time." Now, Mr. President, is a defining time in Pennsylvania history, a very limited window of opportunity. It would be an understatement to say this bill looks a little different from what we passed last week. This is a tremendously important and significant measure, one of the most significant pieces of legislation we will ever be called to vote upon. Mr. President, it will define us as a State, a State that when I was growing up as a little boy had I think either 36 or 37 congressional districts, and as we look into the year 2000, we are facing the loss of another two congressional districts because Pennsylvania's population continues to remain at approximately 12 million people.

Expanding the amount of money available for redevelopment projects is a major step forward for Pennsylvania. Mr. President, we are fighting back today. The House of Representatives has done its job, and now we in the Senate are called upon to fight

back, to fight back for the young people of Pennsylvania and against the loss of jobs, loss of jobs in the steel industry in southwestern and southeastern Pennsylvania, a loss of jobs in the mining industries in northeastern and southwestern Pennsylvania, a loss of jobs in the railroad industries in my home area of central western Pennsylvania, a loss of jobs in the oil industry in northwestern Pennsylvania. All of that is in the past, Mr. President. The question is what will Pennsylvania do to fight back, to bring back the preeminence that we have always had?

Governor Ridge has put forth the right plan at the right time for Pennsylvania's future. Our decision today means a great deal to communities, to workers and families across the Commonwealth, today, tomorrow, and for many years to come. You see, this is opportunity. This is our defining moment to allow communities to realize a wide variety of culture and industrial hopes, to have their dreams be able to come true, to support the convention centers, the arts facilities, the industrial site revitalizations, the educational facilities, and the other projects which communities have determined as priorities.

As Senator Piccola well said, this is a vote for Pennsylvania, to preserve four franchises that are part of our history. They have been part of our past and they must be part of our future. They are part of what we call Pennsylvania, our identity, and part of what will keep people here, particularly our young people, and bring people here in the future. I look forward to the day, as does every Member here, I know, when I can take my grandson to a Pirates game or a Phillies game. My son-in-law and I are going to have to fight that one out, but at least he will have the same opportunity that I had with my father.

The program changes will mean more eligible projects in more places, as Senator Madigan well stated, with much more chance of success in securing State funding. Right now there is nothing. All the authorized redevelopment assistance funding has been allocated, \$850 million over 14 years. The proposed infusion of \$650 million to be matched by at least that much in local resources is a tremendous investment in opportunity and progress and in our future. This can be accomplished without increasing taxes. Without increasing taxes. There is not a stadium deal in the country that has the restrictive provisions that this one has. Look at Hartford, Connecticut, if you want to make a comparison, and see a \$350 million project that is going to cost the taxpayers a great deal. Look at the deals in Ohio, look at the deals in California and San Diego, and see what a great deal that I believe we are giving without increasing taxes, without gutting programs, without giving away the store, as every other State has done.

Mr. President, when the Browns left Cleveland, nobody expected it. The fans supported them. It took \$600 million to buy the franchise back and another \$300 million to build a stadium. A billion dollars of taxpayer money is probably going to be spent somewhere along the line in the State of Ohio between what the Browns got and what the Bengals got, and, Mr. President, again, without raising taxes we are asking the General Assembly today to be in a partnership with the local people and with owners. And I am not talking about Rupert Murdoch and I am not talking about Ted Turner, I am talking about honorable people who have made a commitment to their communities,

who are people we know and who have been honorable, decent citizens of their communities, good corporate partners.

It is nice to suggest that private money be found to do all of these things. If the amount of private money were available, frankly we would not have been having the debate over the last several months. We have substantially increased the amount of money we put into private enterprise through an array of State programs. We do this to attract jobs. We compete against other States for jobs in Pennsylvania all the time. I do not care if it is North Carolina or South Carolina or Texas or Massachusetts or California, or what have you. We are in a competitive time in our history, and that is the way it is played. And if we do not compete we do not get the jobs, and so every administration has found its way to compete for those jobs in the Commonwealth, and we do it not only to create jobs but to protect jobs.

Our transportation program, Mr. President, is running at an all-time high because of the remarkable infusion of Federal funding, Senator Stout referenced that, which Pennsylvania is eagerly matching. Why would Pennsylvania do so much to improve our competitive posture and yet turn off State investment in community development and redevelopment?

Mr. President, we had the opportunity to work with T-21, our own Congressman, Bud Shuster, leading the way, creating literally over a billion dollars for Pennsylvania, for Pennsylvania's infrastructure. We have not seen the tip of the iceberg on the road building, the highway building, the new projects, the maintenance. It is going to come. As we build the infrastructure of Pennsylvania, Mr. President, we are going to create thousands of jobs. As we do the most massive public works project in the history of this Commonwealth, we are going to see the infusion of thousands of jobs, good paying jobs, jobs that will pay taxes to local communities. It will have an infectious kind of impact that we never have had before.

Again, it is our moment in time. There is a small window of opportunity, and this General Assembly, working with the Governor of Pennsylvania, is poised on the verge of creating the most massive job infusion prospects in the history of our State.

Mr. President, as all of us have, as all my colleagues have, I have received letters and calls from community leaders, from the cities, from suburban communities, from boroughs and townships, asking for support and, yes, sometimes people saying we really do not want to include the stadiums in it, but most of them asking for support for a wide variety of projects, and most of the time we have had to say, I am sorry, we just cannot get this done right now. Hopefully, it will be on the list. Without funding, our expressions of support really do not mean very much. No one has ever visited or attended an event in a facility built out of good intentions or financed by wishes.

Just last week I had some folks arguing for a local project but vigorously opposing funding for stadiums. I asked them, let me understand, you want your project, but you want to deny other areas their projects? And the gentleman sheepishly looked back at me and said, I guess that is so, and I guess I really should not be doing that. I really never heard it presented this way, the way you presented it, Senator. I am changing my mind.

Pennsylvania does not work that way. We do not advance that way. This is a Commonwealth with common interests, and

we must recognize the diversity of needs and the priorities found across the regions of our State. Pennsylvania is six separate states, we all know that, but we are a Commonwealth with common interests in many respects.

More than a few years ago, Mr. President, there was a hugely controversial public works project that required substantial State investment, frankly I think far greater for one project than this one has. The same kinds of objections were heard then that were voiced in recent weeks. On a bipartisan basis, and many of us stood up on the floor as I did, and said why we were voting for this project. As Senator Piccola said, it is time to think about Pennsylvania. It is time to think globally. And we determined that project, which is called the Pennsylvania Convention Center in Philadelphia, and we funded it.

That facility is a major success on many levels. Last year it was a key part as I chaired the National Conference of State Legislatures' annual meeting in the finest conference ever held by that group in Philadelphia, Pennsylvania, at the Pennsylvania Convention Center, and every one of us was as proud as could be. Those who had the opportunity to attend were doggone proud Pennsylvanians in a great facility at a great conference. And that was the beginning.

As I said to the mayor and people down there, if we can have a great conference here, Mr. Mayor, just think what we could have in the year 2000. Maybe we could get a Republican or Democratic National Convention in Pennsylvania in the city of Philadelphia. Well, lo and behold, working together on a bipartisan basis with the mayor of Philadelphia and the Governor of Pennsylvania, I went down there and made a speech to the recommendation committee of the Republican National Committee, and guess what? With all of us working together there is going to be a Republican National Convention in the city of Philadelphia next year. Why? Because enough people voted for Pennsylvania in 1986 to believe that something could be good that just did not directly affect their district. Mr. President, instead of being an unaffordable frill or a waste of State money, as critics argued, it has turned into a showcase for Pennsylvania and brings in millions of dollars for the entire southeastern Pennsylvania region.

Obviously, the stadium aspect of the current legislation has proved to be the most controversial. I believe a great deal of work and hard bargaining has gone into developing taxpayer protection, something that was very important, and a pay-back provision, something that was very important to the taxpayers of this State, that make a State role much more acceptable and far more defensible. No other State has put in place this kind of pay-back provision. No other State has done that, except Pennsylvania, or received this kind of commitment to a continuing presence in the State that these teams are giving to us.

You see, they want to be in Pennsylvania. They just want a partner. And I think what we have done and the kind of agreement that has been arrived at is the kind of partnering that really will work. We have set a new standard for the next stadium deal that is offered around the country. They are going to point to Pennsylvania as the leader of States in negotiating these deals. The Pittsburgh Post-Gazette captured the issue in an opinion piece this past Sunday under the headline, "Will Penn-

sylvania's Elected Leaders Show Leadership?" Mr. President, that indeed is the question that we now confront. They provided us with an answer. They said, vote "yes" if you care about Pennsylvania's future. Vote "yes" if you care about our young people. If they have a reason to want to live and work and raise their children in Pennsylvania and have the wonderful quality of life that we were able to have, vote "yes."

The Governor has shown his leadership in persevering on this subject when, frankly, it was a mighty lonely job, to have your neck out there and to have another part of your anatomy with a target on it, knowing full well that it might not be the popular thing to do, a mighty lonely job. For those who suggest that this Governor does not take chances, they really do not know Tom Ridge very well, because he has, the House has, and we are poised to do what is right for Pennsylvania and exert the kind of leadership that is expected of us.

Mr. President, I salute and pay tribute to the floor leaders of the four Caucuses. John Perzel forged a very difficult coalition and was able, over a period of time, to bring together with floor leader Bill DeWeese a tremendous vote, 136 votes, that not one Member of this Senate would have bet on last week or last month or the month before could ever happen, 136 votes in the House of Representatives. I salute John Perzel and Bill DeWeese for their bipartisan efforts working with the Members of the House of Representatives.

And you know, the quiet, steady leadership of Joe Loeper always comes through, because Joe Loeper does one thing: he gets the job done. He does not go to the spotlight, he just gets the job done. And working with floor leader Bob Mellow, who provided steady, continual leadership on the Senate Democratic side, they worked together, we worked with the House, we worked with the Governor. Hallelujah. I am glad I am in Harrisburg and not in Washington, let me tell you that. It is a hell of a lot better to be here than it is to be there. It is nice to work together.

Now it is our turn to show leadership here in this Senate, to put up a bipartisan vote for progress for the future. I certainly believe that the kind of vote that is going to come out of this Senate today, matching the kind of vote that the House of Representatives put up earlier, is going to send a message that Pennsylvania is going to fight back, that Pennsylvania is on the move, that we are going to have the greatest building program in the history of this State, that our historic franchises that are part of our past will be a part of our future.

Mr. President, the winners are the people of Pennsylvania. And you know something? I started out by talking about a song in the Olympics that kind of was a feel-good song and Whitney Houston did it great. Well, Mr. President, our moment in time is now.

Thank you.

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request legislative leaves for Senator Belan, Senator Bodack, Senator Fumo, Senator Musto, Senator O'Pake, and Senator Schwartz.

The PRESIDENT. Without objection, those leaves are granted.

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

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

YEA-34

Armstrong	Hart	Murphy	Tartaglione
Bodack	Hughes	Musto	Thompson
Brightbill	Jubelirer	Piccola	Tomlinson
Conti	Kitchen	Punt	Wagner
Corman	Kukovich	Robbins	Wenger
Costa	Lemmond	Salvatore	Williams
Earll	Loeper	Schwartz	Wozniak
Fumo	Madigan	Slocum	
Gerlach	Mellow	Stout	

NAY-15

Belan	Greenleaf	Mowery	Tilghman
Bell	Holl	O'Pake	Waugh
Boscola	Kasunic	Rhoades	White
Dent	LaValle	Stapleton	

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.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

**MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION**

February 3, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. Richard Gerber, Esquire, 5 Regency Circle, Penllyn 19422, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION**

February 3, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert M. Lam, 1336 Red Ram-

bler Road, Rydal 19046, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION**

February 3, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John A. Maher, Esquire, 726 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

BILL SIGNED

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

SB 10.

ADJOURNMENT

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

The PRESIDENT pro tempore. Mr. President, I move that the Senate do now adjourn until Monday, February 8, 1999, at 2 p.m. Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 6:12 p.m., Eastern Standard Time.