

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MARCH 9, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 13

SENATE

TUESDAY, March 9, 1999

The Senate met at 1 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend Dr. JOHN STEWART HARDY, of Trinity Evangelical Lutheran Church, Camp Hill, offered the following prayer:

Let us pray.

Gracious Heavenly Father, we give You thanks for the prosperity and peace with which You have blessed this State, and for the guidance of the Senators here who have made that peace and prosperity possible. Pour out Your blessing upon them, that they may debate the issues before them with the wisdom that has been the hallmark of this hallowed Chamber. And in us, the citizens of this State, stir up in us respect and honor which is due these Senators who serve us and You as they govern our State.

All this we offer in the name of Christ, our Lord. Amen.

The PRESIDENT. The Chair thanks Dr. Hardy, who is the guest today of Senator Mowery.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of March 8, 1999.

The Clerk proceeded to read the Journal of the preceding Session.

Senator LOEPER. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

LEGISLATIVE LEAVE

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

Senator MELLOW. Mr. President, yesterday when I requested legislative leave for Senator Stout, I made the request

for the week. It has not shown up on our computer screen, so I will ask for a legislative leave for Senator Stout.

The PRESIDENT. The gentleman is correct, and that will be acknowledged.

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-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR MICHAEL A. O'PAKE PRESENTED TO THE SENATE

The PRESIDENT. We have members of the National Council of the Slovak Republic who are visiting our State. And for this purpose, in allowing the Speaker of the National Council of the Slovak Republic to address this body, the Chair will recognize the gentleman from Berks, Senator O'Pake, who is accompanying the delegation, and in turn we will hear from Jozef Migas, the Speaker.

Senator O'PAKE. Mr. President, my Slovak mother would be very, very proud of me today to be able to host this very important delegation from the new Republic of Slovakia.

Slovakia is a state about the size of West Virginia which is without a President as we gather here today. This delegation is from the equivalent of the Parliament of Slovakia, which is a 150-member legislative body. We are fortunate to have them with us here today as part of their visit, and we have arranged for visits with the Governor's Office. They are obviously very

interested in international trade and economic development. They were in the House of Representatives this morning, and they are here to briefly share a message with you.

I would like to introduce the Slovak Ambassador to the United States, who will not be speaking, Mr. Martin Butora. He is the new Slovak Ambassador to the United States.

(Applause.)

Senator O'PAKE. And by the way, for the first time in its history, the Republic of Slovakia will be electing a President by direct popular vote this spring. They have changed their constitution. They used to select their President by a vote of the Parliament, but they have changed the constitution and they now are in the process of a presidential election, so hopefully this spring they will be electing a President who will be very friendly to the United States and to Pennsylvania.

With the Ambassador are three members of the Slovak Parliament. The chairman of the Foreign Affairs Committee of the National Council of the Slovak Republic, Mr. Peter Weiss. Mr. Weiss.

(Applause.)

The Deputy Speaker of the National Council of the Slovak Republic, Pavol Hrusovskyy.

(Applause.)

And the Speaker of the Parliament or the National Council of the Slovak Republic, who is the head of a coalition which is the ruling coalition now, and we are honored to have him give a few brief remarks, the Speaker, Mr. Jozef Migas.

(Applause.)

The PRESIDENT. Mr. Speaker, let me welcome you to the Senate.

*(As translated by interpreter:)*

Mr. MIGAS. Dear ladies and gentlemen, Senators, please allow me as the highest official and the president of the Slovak Parliament, the Chairman of the Slovak National Council, first to convey my greetings from my wonderful country. Many of you who are sitting here representing your State are coming from districts where you also represent your electorate who are many citizens who came over from our country, from our beautiful homeland of Slovakia, perhaps have Slovak parents or Slovak grandparents, so I would say that Slovakia and Pennsylvania have very close ties, and I am very proud that this is the wonderful State of Pennsylvania that we can have this relationship with.

I would like to emphasize that it is a great privilege for me to be able to speak here in your parliament in the State of Pennsylvania, which as I know is the leader in many areas in the United States such as culture or environment or industry, or many other areas. It is one of the best parliaments, and again I would like to repeat that I am very, very privileged and honored to be here.

Slovakia needs a lot of direct investments. Slovakia needs new technology, and I would like to tell you that if you choose to come with your State of Pennsylvania with your businesses to come to our country, we will do everything from our legislative side to create the framework within which you could conduct your business and create meaningful relations.

I am sure that within the 2 minutes that I had here, I managed to convince you to start lobbying heavily on behalf of Slovakia and to start this relationship with industry and economy, and I would really like to welcome you to come to Slovakia and start this dimension of relationship with us.

Thank you very much.

Slovakia is a very hospitable country, so I would hope that once you come, you will be coming very frequently. Thank you very much one more time. I would like to say that it was a great honor and privilege for me to be able to speak with you, to address you, and I would like to see you in Slovakia.

Thank you very much. I convey the greetings on behalf of my country.

Thank you.

The PRESIDENT. Thank you, Mr. Speaker.

(Applause.)

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

Senator O'PAKE. Mr. President, as you can see, the Chamber of Commerce has prepared him well for his visit to Harrisburg, and if any of you would like to meet with either representative--it is a unicameral legislature, by the way. It is only one body, 150 members, one body--if you would like to meet with them at the break, I am sure they would be interested. If there are business interests in your districts that might be interested in Slovakia, they would be very, very interested.

There are other members of their party here, and also the editor of the Slovak paper, Jednota, who I think is in the gallery, and we are glad that you could be here. The other Slovak Member here in the Senate, Senator Belan, would also like to deliver a brief message. In Slovak?

Senator BELAN. No, no.

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

Senator BELAN. Mr. President, I met with the delegation this morning, thanks to Senator O'Pake, and it was nice to try to get my tongue untwisted again. I had a little difficult time, but the only thing I want to say to them is *(translation:)* go with God, have a safe journey, and God repay you.

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

Senator LOEPER. Mr. President, I also would just like to welcome our guests to the Senate of Pennsylvania today. It is truly an honor to have them here to join with us to watch the proceedings of the Senate of Pennsylvania, and I would just like to say to the Speaker that I think that he lobbied more effectively in 2 minutes than many of the speeches that we hear on this floor in 20 minutes and I congratulate him on that.

The PRESIDENT. With that we will conclude this segment of time dedicated to the visit of our special guests.

#### GUESTS OF SENATOR CHARLES W. DENT PRESENTED TO THE SENATE

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

Senator DENT. Mr. President, I, too, want to welcome our distinguished friends from Slovakia.

Mr. President, I would like to take a moment to recognize a very special group of young women seated in the gallery, the Southern Lehigh Field Hockey Team. I would like to congratulate them for their great State championship. They won the PIAA Class AA State championship in women's field hockey, and we are very proud of that fact. They are here with their head coach, Pat Dierking; assistant coach, Patti Mack; middle school coach, Doris Brunner; as well as the athletic director, Don Harakal; principal, Ken Machik; and superintendent, Dr. Paula Fantaski. Again, we are just really delighted.

En route to that championship, these 26 young ladies posted an overall record of 28-0-1. They were the All-Area Field Hockey Team in the Lehigh Valley, the Colonial League champions, and District 11 champions. Their accomplishments in 1998 are a matter of great pride for their families and friends and the students, staff, and administration in the Southern Lehigh School District. Thus, it is with great pride and pleasure that I introduce to you the Southern Lehigh Women's Field Hockey Team and congratulate them on their Class AA championship.

The PRESIDENT. Would our champions please rise so the Senate may acknowledge your presence and achievements.

(Applause.)

#### **GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, in the gallery today we have Lewis and Kathy Morton from Saylorsburg. They are constituents of mine visiting the Capitol today. They are in awe of this beautiful Capitol, and I ask this Senate to give them its usual warm welcome.

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

(Applause.)

#### **GUEST OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE**

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

Senator CORMAN. Mr. President, I also have a guest in the gallery today. My guest did not come from another continent or across the ocean, but he did brave numerous PennDOT projects between State College and here to be with us and to shadow me today. Jeffrey Proch is from Port Matilda, and he is an eleventh grader at State College Area High School. He is in the gallery, and I ask the Senate to give him our usual warm welcome.

The PRESIDENT. Would our guest please rise so the Senate may welcome you.

(Applause.)

#### **GUESTS OF SENATOR ROBERT J. THOMPSON PRESENTED TO THE SENATE**

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

Senator THOMPSON. Mr. President, I, too, would like to welcome two seniors from East High School in West Chester, Pennsylvania, who are acting as Pages for today. They are Laura Barron and Laura DiSabatino, who are seniors and members of the student council. Laura Barron is also a student representative on the West Chester Area School Board, and Laura DiSabatino is quite active in the marching band. Both plan to go on to continue their educational careers in college. I would also like to introduce their mothers, who are in the gallery today, so I ask them to please stand to be welcomed.

The PRESIDENT. Would our special guest Pages today, as well as their mothers, please stand so that we may acknowledge your presence.

(Applause.)

#### **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, in the gallery is a very dear friend from Frackville who also happens to be a councilwoman in Frackville Borough. She knows how the locals work and now she is seeing how we end up doing the State's business. Mrs. Grace Heim is here with her daughter, Alicia, and also Abigail Kleyman and Dan Heim, and I would appreciate it if the Senate would extend to them our usual warm welcome.

The PRESIDENT. Would our special guests from Frackville please rise so the Senate may acknowledge your presence.

(Applause.)

#### **RECESS**

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

Senator LOEPER. Mr. President, at this time I request a recess of the Senate for the purpose of a Republican caucus to begin immediately in the first floor caucus room, with an expectation of returning to the floor by 3 o'clock.

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

Senator MELLOW. Mr. President, I request that the Members of the Democratic Caucus report to Room 461, which we will be using as our new caucus room, with the expectation that we will be able to return to the floor promptly upon Senator Loeper's request.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately, this Senate stands in recess.

**AFTER RECESS**

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

**COMMUNICATIONS FROM THE GOVERNOR****NOMINATIONS REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

March 8, 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, Marilyn L. Painter (Public Member), 30 Love Place, Pittsburgh 15218, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**JUDGE, COURT OF COMMON PLEAS,  
ERIE COUNTY**

March 8, 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, Matthew L. Wolford, 638 W. Sixth Street, Erie 16507, Erie County, Forty-ninth Senatorial District, for appointment as Judge, Court of Common Pleas, Erie County, to serve until the first Monday of January 2000, vice The Honorable Roger M. Fischer, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE WARREN COUNTY  
BOARD OF ASSISTANCE**

March 8, 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, Larry E. Kopko (Republican), 407 Market Street, Warren 16365, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the Warren County Board of Assistance, to serve until December 31, 2000, and until his

successor is appointed and qualified, vice Terry J. Chiaravalloti, whose term expired.

THOMAS J. RIDGE  
Governor

**HOUSE MESSAGES****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:

March 9, 1999

Senator THOMPSON presented to the Chair SB 497, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled, as amended, The County Code, further providing for authorization of excise tax.

Which was committed to the Committee on LOCAL GOVERNMENT, March 9, 1999.

Senators CONTI, MURPHY, BELL, SCHWARTZ, KUKOVICH, MELLOW, STOUT, LEMMOND and TOMLINSON presented to the Chair SB 506, entitled:

An Act requiring certain retail motor vehicle fuel stations to provide fuel and basic services to persons with disabilities at the self-service price; and imposing a penalty.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 9, 1999.

Senators O'PAKE, STAPLETON, TARTAGLIONE, COSTA, BELL, BOSCOLA, WOZNIAK, GREENLEAF and MELLOW presented to the Chair SB 516, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for determination of paternity.

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senator WAGNER presented to the Chair SB 518, entitled:

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

Which was committed to the Committee on TRANSPORTATION, March 9, 1999.

Senator MELLOW presented to the Chair **SB 519**, entitled:  
An Act relating to digital signatures; and imposing penalties.

Which was committed to the Committee on COMMUNICATIONS AND HIGH TECHNOLOGY, March 9, 1999.

Senators WAUGH, MADIGAN, WAGNER, SALVATORE, TOMLINSON, WHITE, ROBBINS, MOWERY, MUSTO, HART, STOUT, RHOADES, THOMPSON, LEMMOND and SLOCUM presented to the Chair **SB 520**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity.

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senators WHITE, CONTI, KASUNIC, O'PAKE, WAGNER, BODACK, MUSTO, BOSCOLA, GERLACH, COSTA, TOMLINSON, HART, WENGER and RHOADES presented to the Chair **SB 522**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for expulsion for possession of weapons.

Which was committed to the Committee on EDUCATION, March 9, 1999.

Senator SALVATORE presented to the Chair **SB 526**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitation on damages on actions against local parties.

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senators GREENLEAF, COSTA, HELFRICK, O'PAKE and LEMMOND presented to the Chair **SB 532**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), entitled Medical Practice Act of 1985, providing for the regulation of tattoo artists and body piercing technicians.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 9, 1999.

Senators GREENLEAF, O'PAKE, LEMMOND, BOSCOLA, HART, KUKOVICH, COSTA, HOLL and TOMLINSON presented to the Chair **SB 533**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for claims of funeral director, and further providing for classification and order of payment.

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senators GREENLEAF, KUKOVICH, O'PAKE, SCHWARTZ and LEMMOND presented to the Chair **SB 534**, entitled:

An Act regulating the practice and licensure of interpreters for persons who are deaf or hard of hearing; creating the State Board of Sign Language and Oral Interpreters Licensure and providing for its powers and duties; imposing penalties; and making an appropriation.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 9, 1999.

Senators GREENLEAF, KUKOVICH, COSTA, O'PAKE, SCHWARTZ, STOUT and TOMLINSON presented to the Chair **SB 535**, entitled:

An Act providing limitations on contracts for dating services, for cancellation of dating service contracts and for violations of the act.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 9, 1999.

Senators GREENLEAF, COSTA, KUKOVICH and O'PAKE presented to the Chair **SB 536**, entitled:

An Act prohibiting and restricting the use of certain instruments in connection with renal dialysis; granting rights to renal dialysis patients; and imposing duties on the Department of Health.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 9, 1999.

Senators GREENLEAF, KUKOVICH, EARLL, O'PAKE, SCHWARTZ, THOMPSON, LEMMOND and TOMLINSON presented to the Chair **SB 537**, entitled:

An Act requiring that, when motor vehicles are serviced or repaired, any parts replaced must be returned upon request; and providing penalties for noncompliance.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 9, 1999.

Senators GREENLEAF, COSTA, O'PAKE, KASUNIC, KUKOVICH, RHOADES and WAUGH presented to the Chair **SB 538**, entitled:

An Act prohibiting the use of a document facsimile production, or FAX, machine to transmit unsolicited advertising messages.

Which was committed to the Committee on COMMUNICATIONS AND HIGH TECHNOLOGY, March 9, 1999.

Senators TARTAGLIONE, O'PAKE, BELAN, SCHWARTZ, COSTA, EARLL, BOSCOLA, DENT and MUSTO presented to the Chair **SB 540**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, suspending the operating privileges of persons who are convicted of committing vandalism offenses.

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senators TARTAGLIONE, BELAN, SLOCUM, SCHWARTZ, COSTA, BOSCOLA, KASUNIC and STOUT presented to the Chair **SB 541**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 9, 1999.

Senators OPAKE, MELLOW, COSTA, BODACK, BELAN, TARTAGLIONE, WAGNER, FUMO, KASUNIC, SCHWARTZ, HUGHES and KUKOVICH presented to the Chair SB 542, entitled:

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), entitled The Administrative Code of 1929, further providing for subsidized day-care services.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 9, 1999.

Senator BELL presented to the Chair SB 543, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, mandating driver's education in public schools; and further providing for driver's license and learner's permit fees.

Which was committed to the Committee on EDUCATION, March 9, 1999.

Senators CORMAN and MADIGAN presented to the Chair SB 544, entitled:

An Act designating a bridge over the Susquehanna River in Clinton County as the Constitution Bridge.

Which was committed to the Committee on TRANSPORTATION, March 9, 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:

March 9, 1999

Senator LOEPER presented to the Chair SR 30, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the general appropriation bill and other appropriation bills for the fiscal year beginning July 1, 1999, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 9, 1999.

### 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 Senate Resolutions No. 22, 23, 30, and certain nominations.

### REPORTS FROM COMMITTEE

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

#### SB 167 (Pr. No. 550) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for terroristic threats, for harassment and stalking, for harassment by communication or address, and for definition of "course of conduct."

#### SB 393 (Pr. No. 402)

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, relating to associations; making revisions, corrections and additions; and making repeals.

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

SB 173 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

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

SB 174 (Pr. No. 168) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for fiduciaries' investment and management of property held in trust; making editorial changes; and making a conforming amendment to Title 15 (Corporations and Unincorporated Associations).

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, I rise in support of Senate Bill No. 174, which is before the Senate. This bill is a recommendation of the Joint State Government Commission Task Force and Advisory Committee on Decedents' Estates. The bill updates the probate code by adding the prudent investor rule to govern fiduciary investments, and the bill is based on the Uniform Prudent Investor Act. It permits fiduciaries, namely trustees and guardians, to file any reasonable theory of investing as set forth in the Uniform Prudent Investor Act.

The bill also eliminates certain restrictions on the investments and mandates the fiduciaries and allows them to diversify their investments and also allows them to delegate investment and management functions to retain cash without investing it if

the cash is needed for the distribution to beneficiaries, for the payment of debts, and also to acquire life insurance without a liability on the part of the settlor. This does not apply to municipal investment funds or to State investment funds other than those invested by trustees and guardians, and so I ask the Senate to adopt this legislation.

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-50**

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

**NAY-0**

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

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

**RECESS**

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

Senator LOEPER. Mr. President, at this time I request a 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, this Senate stands in brief recess.

**AFTER RECESS**

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

**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 ANIMAL HEALTH  
AND DIAGNOSTIC 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, David G. Heckel, Jr., 155 Front Street, Lititz 17543, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kent L. Strock, Mechanicsburg, whose term expired.

THOMAS J. RIDGE  
Governor

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

January 28, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ann M. Benzel, 6 Sylvan Heights Drive, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve for a term of three years and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE 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

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

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, Carl J. Stillo, 1061 Chestnut Street, Kulpmont 17834, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice LeRoy D. Cameroni, Camp Hill, whose term expired.

THOMAS J. RIDGE  
Governor

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

February 5, 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, Catherine Manning, S.S.J., 2816 Burgundy Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Susan H. Hagen, Erie, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

February 1, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Margaret Judd Breitenstein, 304 North Fourth Street, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2005, vice Ernest E. Heckman, Hamburg, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

February 1, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles C. Husson, Sr., 29 Arlington Street, Reading 19611, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

February 1, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joann Reckley, 2403 Elizabeth Avenue, Temple 19560, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE HEALTH POLICY BOARD

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, Jeffrey A. D'Ambrosio, 1272 Lisle Road, Chester Springs 19425, Chester County, Forty-fourth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice A. James Freeman, Erie, resigned.

THOMAS J. RIDGE  
Governor

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

January 28, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2002 and until his successor is appointed and qualified, vice Glenn Y. Forney, Shavertown, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
INDIANA UNIVERSITY OF PENNSYLVANIA

January 27, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Susan Snell Delaney, 122 Greenview Drive, Indiana 15701, Indiana County, Forty-first Senatorial



District, for reappointment as a member of the Council of Trustees of Indiana University of Pennsylvania, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA INDUSTRIAL  
DEVELOPMENT AUTHORITY**

January 26, 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, Kenneth L. Tepper, 717 Eagle Farm Road, Villanova 19085, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until December 1, 2005 and until his successor is appointed and qualified, vice John C. Schmidt, York, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY**

February 5, 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, Ted Darcus, 225 East New Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2001 and until his successor is appointed and qualified, vice Sheila Bass, Holland, resigned.

THOMAS J. RIDGE  
Governor

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

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, William R. Henwood, D.O., 291 Buhl Boulevard, Sharon 16146, Mercer County, Fiftieth 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

**MEMBER OF THE STATE BOARD  
OF PHARMACY**

February 8, 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 R. Smiga, 140 Pennington Drive, Landisville 17538, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Pharmacy, 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 Ralph E. Progar, Sewickley, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK 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, David F. Girard-diCarlo, 7 Ithan Woods Lane, Villanova 19085, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, 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, add to complement.

THOMAS J. RIDGE  
Governor

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

January 28, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice William R. Minnick, Harrisburg, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE 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, Rose Blecker, 202 Erford Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment 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.

THOMAS J. RIDGE  
Governor

MEMBER OF THE ERIE COUNTY  
BOARD OF ASSISTANCE

January 27, 1999

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

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE ERIE COUNTY  
BOARD OF ASSISTANCE

January 27, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John M. Drew (Democrat), 262 East 31st Street, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, add to complement.

THOMAS J. RIDGE  
Governor

MEMBER OF THE ERIE COUNTY  
BOARD OF ASSISTANCE

January 27, 1999

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

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE ERIE COUNTY  
BOARD OF ASSISTANCE

January 27, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leonard I. Jefferson (Democrat), 411 Colleen Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, add to complement.

THOMAS J. RIDGE  
Governor

MEMBER OF THE ERIE COUNTY  
BOARD OF ASSISTANCE

January 27, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Namon McWilliams (Democrat), 2104 South Manor Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Erie County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Dorothy Lochett, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE LEHIGH COUNTY  
BOARD OF ASSISTANCE

January 26, 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 A. Saurman (Republican), 1750 West Linden Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Lehigh County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Reginald Johnson, Allentown, resigned.

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.

**CONSIDERATION OF CALENDAR RESUMED****SECOND CONSIDERATION CALENDAR****BILLS ON SECOND CONSIDERATION**

**SB 179 (Pr. No. 173)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), entitled Pennsylvania Commission on Crime and Delinquency Law, further providing for composition of the commission.

Considered the second time and agreed to,

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

**SB 209 (Pr. No. 234)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County.

Considered the second time and agreed to,

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

**SB 264 (Pr. No. 266)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

**BILLS OVER IN ORDER**

**SB 303 and SB 309** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL REREFERRED**

**SB 390 (Pr. No. 400)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), entitled Local Tax Enabling Act, further defining "net profits."

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

**UNFINISHED BUSINESS  
RESOLUTIONS REPORTED FROM  
COMMITTEE**

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

**SR 22 (Pr. No. 521)**

A Resolution designating the month of March 1999 as "Mental Retardation Awareness Month" in Pennsylvania.

**SR 23 (Pr. No. 522)**

A Resolution designating April 6, 1999, as "Tartan Day" in Pennsylvania.

**SR 30 (Pr. No. 551)**

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the general appropriation bill and other appropriation bills for the fiscal year beginning July 1, 1999, including any amendments offered to or for supplemental appropriations for prior fiscal years.

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

**SENATE RESOLUTION ADOPTED**

Senators RHOADES, HOLL, STAPLETON, BELAN, WAGNER, MADIGAN, THOMPSON, BODACK, LOEPER, SCHWARTZ, ROBBINS, KASUNIC, MOWERY, MELLOW, COSTA, O'PAKE, TOMLINSON, WAUGH and DENT, by unanimous consent, offered Senate Resolution No. 32, entitled:

A Resolution designating March 1999 as "Youth Art Month" in Pennsylvania.

Which was read, considered and adopted.

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Gino Fornicola, Daniel J. Cartwright, William Tyson Herlocher, Douglas Andrew Frederick, Jeremy Richard Waite and to Alexander Garrett Wykoff by Senator Corman.

Congratulations of the Senate were extended to Marilyn Ware by Senator Dent.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Rieger by Senator Hart.

**BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to.

The bills were as follows:

**SB 167 and SB 393.**

And said bills having been considered for the first time,  
Ordered, To be printed on the Calendar for second consideration.

**PETITIONS AND REMONSTRANCES**

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

Senator SCHWARTZ. Mr. President, I would like to make some comments following yesterday's vote, since some comments were made in a variety of newspapers about the need for us to deal with the issue of funding for education and the interest that a number of people had in the community, both elected officials and citizens, in being able to implement gambling, to expand gambling in this Commonwealth in order to fund public education.

I was strongly opposed to the expansion of gambling, particularly the dramatic expansion of gambling that was a possibility yesterday and is not today, but I do want to make absolutely clear and I want to talk about for a minute the fact that I very strongly believe that those who were concerned and continue to be concerned about the State's lack of interest in a stronger investment this next year in public education, that it is of grave concern to me as it is to many, many other people. I understand and sympathize with the desperation felt particularly by those in Philadelphia by the lack of support for public education in Philadelphia. It is a serious concern, and I believe that in some of the written comments provided by the Governor he did say that we should get on to educational reform, and I agree with him, although I am not sure I agree with him on what educational reform we should get on with.

But I want to say to my colleagues that as we enter into this next phase of dealing with next year's budget, we should seriously, seriously be concerned about the funding of public education. The Governor's proposed budget actually has a smaller increase in basic education this year than even last year. I know the Governor and the administration will say that a large amount of money already goes into education, but the fact is that a basic education funding increase of less than 3 percent across the State is barely enough to pay for some increases in some of the contracts for supplies and equipment that many of our school districts have. It is not adequate.

I know there is a great concern about special education as well, and again the Governor's proposal is inadequate to the task, and I would say that we do need to tackle it. We did not need to do gambling in order to fund education. We do have money in this budget that we can move around. We do have money in the State coffers that we could use for basic education.

And some of us have been accused of saying that money is not the problem. Does Philadelphia really need more money? Do all those rural school districts, poorer school districts that have sued the State need more money? They believe so, and I think many of us would say that we are not keeping pace with student achievement in this State, that we need to assure that our children have a chance for the jobs of the future.

So I would say that we need to get on with educational reform, that we should make a much more significant investment in public education. We should assure that our class size is smaller, particularly in the early grades. We should make sure that we have qualified teachers and do professional development, and the State should contribute to that. We should do early childhood initiatives. We should help our school districts be able to offer full-day kindergarten and preschool that really prepares children for school. We must tackle the issue of our poorer school districts. If they are not able to assure student achievement, we have to work with our school districts to make sure that they do so. If they do not have the dollars to do so, they cannot continue to keep raising property taxes on our poorest communities. We are going to see our school districts not be able to do the job that they have to do.

Now, is there money in the budget to do that? This Governor is proposing \$64 million this year alone to go into private schools and parochial schools through vouchers. I say, let us take that \$64 million and invest it in public education so all of our children have access to quality education. We can attach strings to that money if we are not really sure our school districts will use it the way we want. I suggested some ways to do that. The Governor suggested money to put computers in our child care centers to give infants and toddlers access to computers. I say, let us give some of our school-age kids access to computers. I have been in schools that have no computers. Why do we not make sure that some of our high school students have access to computers before infants have access to computers?

The Governor has proposed \$32 million to give us all brand new license plates, \$32 million for us all to get new license plates. I cannot even begin to address the notion of spending \$32 million on new license plates when there is not enough money in basic education. If you cannot think of anything better to do with it, I can tell you that \$32 million to help educate the 215,000 children in Philadelphia schools is a far more important cause than new license plates for every Pennsylvania driver.

There is money going into the Rainy Day Fund again, there is money in reserves. I believe in savings. I believe in making sure we have a good bond rating in this State, absolutely, but we need to begin to tackle the question of education and make sure that all our children have access to quality education and that they are achieving. I have no problem with the notion that the Governor has put out that we have to make sure that it is not just about money, that it should be tied to reforms that work, but let us tie it to reforms that work. Vouchers are completely unproven to have any success rate in improving children's achievement, no evidence at all. So why should we, as the Governor is suggesting, eventually spend in 5 years a half-billion dollars on an educational reform that is unproven? I say, let us do what works. Let us make sure that all of our children in Pennsylvania, all 1.7 million school-age children, have access to quality education.

A 3-percent increase is inadequate to the task. We know that. We know that Philadelphia schools and over 200 school districts across the State are saying, we do not have enough money, we cannot keep raising property taxes to work on our schools, and our Governor has to be willing to step up to the plate. If he is

unwilling to do so, then it is up to the General Assembly to say to this Governor, we want to prepare our children for the 21st century jobs, we want Pennsylvania to be economically strong. I have supported every one of this Governor's business tax cuts, but I can tell you that no business will come to Pennsylvania if there is a work force that is unskilled, illiterate, and untrained to the task. It starts with basic education.

We should not wait another year. We did not need to rely on gambling to do it. We should instead look seriously at this budget and not accept this administration's statement that there will be no more money for basic education, that there will be no more money for Philadelphia schools, that there will be no more money for the rural schools. That is unacceptable, and it is up to us in the General Assembly to speak up on behalf of our constituents, to refuse the idea that property taxes are what we should rely on for the revenue base for education. The State should accept its responsibility. And before we throw up our hands and say we cannot do anything about it except gambling, I say to those of you who were with me in opposing the expansion of gambling, be with me again and stand up for our kids, stand up for our kids in public schools, and make sure that no one has to leave our public school system because it fails to educate our children.

Thank you, Mr. President.

#### ANNOUNCEMENT BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETING

MONDAY, MARCH 22, 1999

12:00 Noon	LOCAL GOVERNMENT AND ENVIRONMENTAL RESOURCES AND ENERGY (joint hearing on the Governor's Executive Order on land use)	Room 8E-A East Wing
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#### ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Wednesday, March 10, 1999, at 11 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 3:10 p.m., Eastern Standard Time.