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SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 25

SENATE

WEDNESDAY, April 21, 1999

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend HARRY E. BRUEN, JR., of Longswamp United Church of Christ, Fleetwood, offered the following prayer:

Before I begin, I would like to ask us to have a moment of silence as we think about the tragedy that just took place in Littleton, Colorado, a town that I visited just last summer.

(Whereupon, a moment of silence was observed by the Senate in solemn respect to the tragedy in Littleton, Colorado.)

Almighty gracious and loving God, again the tragedy and the killing of youth and teachers envelops our hearts and minds, as we pray for Your strength to be with their families and with their friends who have been killed in Littleton, Colorado. Though we may be many miles away, we cannot help but feel their hurt and maybe even some anger. As we gather here in this Senate Chamber, we look to You for guidance that we in some way might prevent yet another such tragedy across our precious land, and particularly in our Commonwealth.

Send down the spirit of wisdom and justice upon all who hold office in the Commonwealth of Pennsylvania, and particularly those who serve in this Senate Chamber, that with steadfast purpose they may seek to serve You and all Your people no matter what their station in life. We ask You always to so guide and bless each of our State Senators that they may enact such laws that shall please You and give glory to Your holy name.

Finally, teach each of us and all the people of this Commonwealth to rely on our own strength to be responsible to oneself and to one's fellow citizens, that we may serve You faithfully in our generation and so honor Your gracious name. Amen.

The PRESIDENT. The Chair thanks Reverend Bruen, who is the guest today of Senator O'Pake.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of April 20, 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.

REPORTS FROM COMMITTEES

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

SB 824 (Pr. No. 901)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages by minors.

Senator MURPHY, from the Committee on Aging and Youth, reported the following bills:

SB 317 (Pr. No. 312)

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.

SB 384 (Pr. No. 393)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for missing children; providing for a clearinghouse for missing children; and imposing powers and duties on the Pennsylvania State Police, local school districts and parents.

HB 102 (Pr. No. 84)

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, further providing for information relating to applicants for enrollment in State-approved nurse aide training programs.

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

SB 504 (Pr. No. 514) (Rereported)

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled Highway-Railroad and Highway Bridge Capital Budget Supplemental Act for 1999-2000, itemizing additional local and State bridge projects.

HB 10 (Pr. No. 1609) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for licensing eligibility and licensing of minors, for learner's permits and for school, examination or hearing on accumulation of points or excessive speeding; providing for additional annual fees for certain registrations; further providing for restraint systems; and making editorial changes.

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request a temporary Capitol leave for Senator Tomlinson.

The PRESIDENT. Senator Loeper requests a temporary Capitol leave for Senator Tomlinson. 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 Schwartz.

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

CALENDAR**SENATE RESOLUTION No. 52
CALLED UP OUT OF ORDER, ADOPTED**

Senator LOEPER, without objection, called up from page 9 of the Calendar, as a Special Order of Business, **Senate Resolution No. 52**, entitled:

A Resolution observing the 100th anniversary of the Veterans of Foreign Wars.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, as chairman of the Senate Committee on Military and Veterans Affairs, I feel it appropriate to take this opportunity to recognize the Veterans of Foreign Wars on its 100th anniversary. Mr. President, as we recognize the VFW we proudly and gratefully recognize the hardships and sacrifices demanded from and faithfully accepted by the millions of men and women in Pennsylvania and across this country who have defended our land in war and peace.

This is an opportunity to celebrate peace in the bright victories that grow from dark battles, thanks to our veterans. Each member of the VFW is a reminder that we have an obligation to safeguard the precious legacy of our Founding Fathers, a legacy of freedom, justice, and liberty, a legacy that forever commits the nation to preserve our sovereignty, respect our heritage, and instill in us the responsibilities of citizenship. Each of the 2.1 million members of the Veterans of Foreign Wars in every State and territory in the United States and the 160,000 Pennsylvanians throughout the 630 posts across our Commonwealth personify the valor and patriotism of all of our American veterans who

have contributed so much to the cause of world peace, American strength, and the preservation of our way of life.

What we remember as we recognize the VFW on this its 100th anniversary are those brave men and women who believed so much in an idea and were so possessed by a sense of duty and honor that they were willing to risk life and limb for it. Mr. President, the VFW slogan, "Honor the dead by helping the living," demonstrates that fact. Those of us who returned home from war, and those who did not, were all part of a time from which we take inspiration. We won the war, planned for peace, and led our country through the 20th century. Without our subordination of self to the common good, our world would be radically different. We must never forget how blessed we are in this modern world to live in a free society, nor forget the sacrifices of our friends, relatives, neighbors, and countrymen who served us all in the dark hours of war and conflict.

Mr. President, I commend and thank my colleagues for their outpouring of support for this resolution through their cosponsorship, and I ask for an affirmative vote on Senate Resolution No. 52.

Thank you.

And the question recurring,
Will the Senate adopt the resolution?

The yeas and nays were required by Senator LOEPER 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
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

NAY-0

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR WILLIAM L. SLOCUM
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Warren, Senator Slocum.

Senator SLOCUM. Mr. President, it is not often that I have the privilege of introducing guests from my district. I indeed have the special honor this afternoon of introducing the wrestling team from Brookville High School. The Brookville Wrestling Team this year compiled a booming record of 18-1. They were eighth place in the Arena Tournament of Champions, fourth place in the Iron Man Tournament, District IX Tournament Champions, District IX Dual Meet Champions, Pennsylvania

State tournament runners-up, and the first team to be crowned PIAA Dual Meet State Champions in the entire State of Pennsylvania. And as I commented earlier, they are in fact the number one wrestling team in the entire State of Pennsylvania, as evidenced by the fact that they defeated Bald Eagle Area, which was the Class AAA State Champion, earlier in the season by a score of 28-4.

The Raiders are in the gallery today, coached by head coach Thad Turner, assistant coaches Roland Ritz and Matthew Smith, and I ask that the Senate of Pennsylvania give them its usual warm welcome.

The PRESIDENT. Would our athletes and coaches please stand so that the Senate may extend to you its usual warm welcome.

(Applause.)

The PRESIDENT. Congratulations on a fine season, and the Chair feels duty-bound to recognize the gentleman from Centre, home of that Bald Eagle Wrestling Team, Senator Corman, to respond.

Senator CORMAN. Mr. President, as the Senator from Centre County, which is where Bald Eagle Area High School is located, normally I would take exception to that, but since my mother is from Brookville, I will let Senator Slocum get away with that this time.

The PRESIDENT. The Chair would note that the good Senator Corman has covered both bases.

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, since Reynolds High School from my area was unable to get through that competition this year, I am not going to get into that discussion, except to congratulate Brookville for an outstanding job.

I also have a couple groups of people I would like to introduce today. Mr. President, I am pleased to introduce to the Senate today some special constituents of mine who are visiting with us. Mr. President, Ryan Jackson, a senior at Cochranon High School, Crawford County, is being honored today for his gold medal performance at the 1998 Keystone State Summer Games and for receiving the Athletic Award of Honor.

Furthermore, he had been a Keystone Games participant for 4 years, winning the gold and bronze medals in volleyball in 1997 and 1996, respectively. He has been named Outstanding Athlete and was selected to the 1998 PIAA first team, All-Conference first team, and All-District 10 first team. In addition to his athletic accomplishments, Ryan has demonstrated his academic excellence as well, distinguishing himself as a member of the National Honor Society and as a member of his school's student council.

Mr. President, Ryan is accompanied today by his parents, Dan, who is also his coach, and LuAnn Jackson, also of Cochranon, and also his friend, Michelle Yeager of Hadley.

Mr. President, would you please recognize my guests and would the Senate extend to them its usual warm welcome.

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

(Applause.)

The PRESIDENT. Senator Robbins, I know you have an additional acknowledgment.

Senator ROBBINS. Mr. President, I am also pleased to introduce Jorde Farrell and Michael Wasser, who are serving as guest Pages in the Senate today. Both Jorde and Michael are eighth graders at St. Michael School in Greenville. Jorde is a member of the school's varsity basketball, volleyball, and soccer teams, and additionally he is actively involved in the Tri-County Hockey League. Michael is a member of the school's volleyball and soccer teams.

Jorde and Michael are accompanied here today by their teacher, Mrs. Nancy Kremm, her husband John Kremm, and additionally Karly St. John and Kelli Kunselman, who served as guest Pages earlier this week, all of whom are seated in the gallery. Please join me in welcoming my guests to the Senate of Pennsylvania.

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

(Applause.)

GUESTS OF SENATOR MELISSA A. HART PRESENTED TO THE SENATE

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

Senator HART. Mr. President, I am also honored today to have an outstanding student athlete from my district with us. Her name is Kellie Kenneweg, from Marshall Township, which is in Allegheny County in my district. She is also soon to be a graduate of my alma mater, North Allegheny High School.

She is also here as a recipient of the special award for the Keystone Games. She is one of the few who were presented today with the Athletic Award of Honor presented by Bell Atlantic and the Keystone Games, but she is also a recipient of the President's Award for Educational Excellence and the School Board Achievement Award back home. She is a member of the National Honor Society. She is a very accomplished swimmer and that is why she has received this award today, but we have to get her on the road shortly, because she is also an outstanding softball player and is on her way back home for a game.

She and her parents are here in the gallery, and I would appreciate the Senate's warm welcome.

The PRESIDENT. Would Kellie and her parents please rise so the Senate may extend to you its usual warm welcome.

(Applause.)

GUEST OF SENATOR CHARLES D. LEMMOND PRESENTED TO THE SENATE

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

Senator LEMMOND. Mr. President, a little later this morning or this afternoon, at some point we will be considering and perhaps voting on the Northeast Interstate Dairy Compact. One of the most ardent supporters of the compact, which we will address

and perhaps vote into existence, is with us this morning. He is the head of a group called ProAg and is very interested in the dairy farming community, the largest part of our leading industry in Pennsylvania, and I also point out that he is active and interested in the community in serving as the president of the Elk Lake School District for a good number of years. I am delighted to have him with us this morning as he observes us do what he has been so devoted to bringing to pass. Arden Tewksbury is in the gallery, and I would appreciate the Senate welcoming him.

The PRESIDENT. Would our agricultural leader and school board president please rise so the Senate may welcome you.

(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, again, Mr. Ned Eisenhuth, who is an American History teacher at Minersville Area High School, has brought two of his prize students to the Senate to serve as Pages for the day. This activity, which I consider an award, goes to two students who have demonstrated high academic achievement within his American History class. I am happy to report they are both young ladies, so the fellows better start studying harder because these ladies have outshined them. They are both in the academic curriculum and are members of the honor roll, high honors.

Michelle Kavanaugh also participates in choir, the annual musical, the county chorus, the technical crew, the band front, the Spirit Club, the White and Blue, the German Club, and is a cheerleader besides that. Stacey Securda is also academic high honors and belongs to the German Club, Spanish Club, and participates in dance, gymnastics, and soccer.

So I would appreciate it if the Senate would please extend its usual warm welcome to these two fine young ladies.

The PRESIDENT. Would Michelle and Stacey please rise so the Senate may welcome you.

(Applause.)

The PRESIDENT. Thank you in advance for your efforts.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

SB 365 CALLED UP OUT OF ORDER

SB 365 (Pr. No. 640) -- Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 365 (Pr. No. 640) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the Northeast Interstate Dairy Compact and for its implementation.

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

On the question,
Shall the bill pass finally?

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

Senator WENGER. Mr. President, Senate Bill No. 365 deals with having Pennsylvania become a member of the Northeast Interstate Dairy Compact. We have had this issue before us for quite some time. In fact, there was a similar bill introduced in the previous Session.

I have looked at the bill very carefully, and I will say that I did have some concerns as to the governance of the compact and how Pennsylvania's involvement in that compact might impact on the dairy industry, especially the dairy farmers in Pennsylvania. I have brought those concerns to the farm organizations and to the dairy industry leaders and expressed them to them, and they have looked at them and they have assured me that in spite of those reservations, and they did share some of the same concerns that I did, but in spite of that they felt that overall it would be a positive thing for the dairy industry in Pennsylvania, and they have urged support for the compact and for Pennsylvania's inclusion thereof.

And for that reason I will be voting in the affirmative. I feel I have brought those concerns to the attention of the leaders in the industry, they have reviewed them, and they are still in strong support of the compact. So I have voted for the bill twice already. I voted to bring it out of the Committee on Agriculture and Rural Affairs, I voted to bring it out of the Committee on Appropriations, and I will vote to pass the bill here on the Senate floor today with the notation that I have made here on the floor.

Thank you, Mr. President.

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

Senator MADIGAN. Mr. President, I rise today to support Senate Bill No. 365 and to support all of our dairy farmers in Pennsylvania. Dairy farming is the backbone of agriculture in Pennsylvania, and agriculture is, in turn, the key contributor to our economy. When dairy farmers face financial hardship, that hardship is felt all through our State and our rural communities are hit especially hard. The reverse is also true. When dairy farmers prosper, we all benefit. Sadly, most dairy farmers are not prospering right now. Many are in debt and face a daily decision: Should I sell my land to a developer and be done with it, or struggle on for another day or a few more months?

The problem can be summed up simply: deficits caused by unfair pricing. The current U.S. Department of Agriculture reform proposal will only deepen our crisis here in Pennsylvania. At the heart of the matter is a pricing structure that allows for large regional fluctuations, and this will continue under the Federal Department of Agriculture reform proposal that places an even greater emphasis on midwestern cheese prices. This is not the reform that Pennsylvania farmers were hoping for.

For example, under the reform measure, all of Pennsylvania will experience an overall drop of an additional 3 to 4 percent. And this is in addition to the drop of 30 percent on fluid milk prices that has already sent our dairy farmers reeling. And this one is imposed by our Federal government, disguised as reform. This change will affect every one of Pennsylvania's dairy farmers. From Lancaster County to Bradford County to Mercer County to Westmoreland County, every dairy farmer will be forced to once again tighten his or her belt, which is already cutting off circulation in most operations.

Pennsylvania's farmers desperately need a pricing system that allows for enough price stability to plan for the future of their business and allows for a fair price of milk to both the farmer producer and to our consumers. That is why I urge my colleagues in the Senate to pass Senate Bill No. 365 now, so that all Pennsylvania dairy farmers will have a chance to survive into the next century. The situation is serious. Over the past 5 years, our State has lost 2,000 of our dairy farmers, and we are in another price slump that threatens additional dairies and their futures. We do not have to lose these farms if we act today. Dairy farmers can be assured of a small measure of stability and a reasonable price for their product.

Nearly every State in the northeast and the southeast in this nation has taken steps to become a member of a compact. Pennsylvania cannot afford to sit this one out. It is crucial that Pennsylvania become a member of the Northeast Interstate Dairy Compact now while Congress is under pressure to issue a reauthorized and expanded compact. On behalf of all dairy farmers over this great State, and so that Governor Ridge and his mom and others can continue to smile under their milk mustaches, please vote in favor of Senate Bill No. 365.

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

Senator WILLIAMS. Mr. President, as I rise, many of my colleagues scratch their heads and say, what does a city boy have to do with this conversation today? Well, frankly, a lot. While we have many farmers who are in peril, we have equally as many consumers who are concerned about the price of milk in the Commonwealth of Pennsylvania, and I have a large constituency who are particularly concerned and have in recent months made news in the papers about the pricing of milk in the Philadelphia School System.

I have labored for some time about what to do with regard to this piece of legislation, and we have had lengthy and substantive conversations within the Democratic Caucus, and I am appreciative of the patience that the Members have displayed with me about how do I get my hands around this kind of issue. It is clear today that there is not a lot to be done for Philadelphians with regard to the issue of pricing. That apparently is going to reside in a different conversation at a different moment. How to reduce prices for consumers in Pennsylvania and particularly those who fall in low and modest income communities will fall upon a different day, but nonetheless, it has to be said we still are searching for an answer for those of us in Philadelphia.

But apparently, equally as important is the little guy outside of Pennsylvania, and today is an opportunity for Philadelphia to

cast a vote beyond the county of our distinguished environment. It is now an opportunity for Philadelphia to do the right thing for other Pennsylvanians, and so while I do not have many farmers on 60th Street and 52nd Street, and while I cannot totally appreciate what mother's milk must taste like coming from a cow on the day of its production, I certainly can be conscious and sensitive to the needs of small farmers across the Commonwealth of Pennsylvania. And so while Senator Kasunic will chase me down the halls today congratulating me for casting a vote for the little guy, we from Philadelphia, and me in particular, are proud to say we are in support of this particular legislation.

The PRESIDENT. The Chair recognizes the gentleman from Warren, Senator Slocum.

Senator SLOCUM. Mr. President, I, as well, rise to urge our colleagues to support Senate Bill No. 365. As the new chairman of the Committee on Agriculture and Rural Affairs, it is an honor for me to have this piece of legislation as the first major piece of legislation to pass through this committee. I would also like to commend my good friend, Senator Madigan, for his persistence in this issue, as I believe this is the third time he has actually authored or submitted this piece of legislation that will allow those dairy farmers in my district and his district and across Pennsylvania to survive. And I also commend Senator Williams, because many times on this floor those of us in rural areas are asked to vote on issues that affect Philadelphia, so we certainly appreciate his support on this issue.

I think it is an important issue. I think there are a lot of ramifications beyond the fact that we are trying to protect the dairy farmers. There is an awful lot of discussion now about farmland preservation and how we preserve our farmland in Pennsylvania, and in Senator Madigan's district and in my district this particular piece of legislation is farmland preservation. We do not have the opportunity to sell those farms off because the prices from developers are not like they are in the southeast, and we need to keep those 565 dairy farmers in the 25th District in business. We need to keep all of those dairy farmers in business in the State of Pennsylvania so that they can survive, and as we all know, each dairy farmer or each farmer employed creates an additional seven jobs or has an effect on seven jobs.

This bill represents economic development as well. So I sincerely urge each and every one of us on the floor of this Senate today to vote in favor of Senate Bill No. 365.

Thank you.

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

Senator BELL. Mr. President, I have in my district the New Bolton Center Veterinary School of the University of Pennsylvania. I have been privileged to go down to New Bolton and be thoroughly oriented on what is being done at that vet school. And one of the biggest things they do at the Penn veterinary school at New Bolton is to verify that Pennsylvania has pure milk, and I have been advised by the vets down there that Pennsylvania has the purest milk that one can buy anyplace. Sam Hayes has also verified that to me. For instance, when you drink Pennsylvania milk, you are safe from Bangs disease. Pennsylvania milk comes from dairy heads that are vaccinated and thoroughly supervised.

There is a three-legged stool: the Department of Agriculture, Penn State, and New Bolton Center, to make sure that the milk I drink and my children and my grandchildren drink, if it is Pennsylvania milk, it is pure milk. And a vote for this bill is to keep Pennsylvania dairy farmers producing the finest milk that one can buy. I strongly support this bill.

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Stapleton.

Senator STAPLETON. Mr. President, as Minority chairman of the Committee on Agriculture and Rural Affairs, I have spent a great deal of time on this piece of legislation. I am hopeful that we are doing the right thing. I do not want to see us come back here a year from now and say we have to look at this again and pull out of this piece of legislation that many of us are going to support. Even our United States Senators, one opposes it and one is for it. I do not believe that Governor Ridge is, I believe he remains somewhat silent on the issue, as well as Agriculture Secretary Hayes refusing to offer support or opposition.

So really it is up to each and every one of us to look at this piece of legislation. I know what it means to the farmers of Pennsylvania, and I know that the consumer certainly is somewhat concerned, particularly after the Pennsylvania Milk Marketing Board, just a couple of days ago, increased the consumer price 8 cents for a gallon of milk starting May 1.

I am asking our Members on this side of the aisle to certainly support this bill, and I believe basically that we are doing the right thing.

Thank you.

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

Senator O'PAKE. Mr. President, I, likewise, rise in support of this important piece of legislation. Several years ago I was invited as part of a farmer-government official exchange to spend a day on a dairy farm, and I sat there milking cows. I was never invited back, but as a result of that experience, I know now what all our dairy farmers mean when they say, "all that I have I owe to udders." Please help our dairy farmers.

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

Senator MELLOW. Mr. President, I am one of the original sponsors of this piece of legislation, but the bill that I sponsored originally right after January 1 of this year is not the same bill that we are being asked to vote upon today. Mr. President, back in the bill that I cosponsored, the Pennsylvania delegation to the Northeast Interstate Dairy Compact Commission consisted of members who were appointed by the respective leaders of this General Assembly, four members. The fifth member, Mr. President, to that compact would have been appointed by the Governor of the Commonwealth of Pennsylvania and confirmed by the Senate. Mr. President, somewhere between the introduction of the bill, the committee work in the Committee on Agriculture and Rural Affairs, and the reporting of the bill from the Committee on Appropriations, there was a major amendment placed in the bill.

Mr. President, that major amendment which I would like to address today by amendment purpose, by offering another amendment to the bill, I believe drastically changes the intent

of this piece of legislation. And the bill that I was 100 percent in support of the day that Senator Slocum and I talked on the floor of this Senate about reporting the bill from committee is not the same bill, Mr. President, and does not give the same protection to consumers that the original piece of legislation did.

Mr. President, there was an amendment offered to the bill, and that amendment that was offered I believe in the Committee on Agriculture and Rural Affairs stripped out the Pennsylvania delegation to the Northeast Interstate Dairy Compact Commission as we knew it from the original introduction of the bill and said that that delegation shall be made up of the members of the Pennsylvania Milk Marketing Board. Mr. President, that concerns me tremendously. That concerns me about the representation from the Milk Marketing Board when you add into the ingredients certain things that were just mentioned by Senator Stapleton.

Number one, the Governor of the Commonwealth of Pennsylvania, whom I have seen on many, many billboards throughout the State with the caption "Got Milk," which I think is an excellent billboard, has not taken a position on this piece of legislation, even though it deals with Pennsylvania dairy farms. Mr. President, the Secretary of Agriculture, whose job it would be to make a recommendation to the General Assembly and to the people of Pennsylvania about a Northeast Interstate Dairy Compact, has not taken a position with regard to this very important piece of legislation.

Our two United States Senators, as it was stated before, have taken different positions. Senator Specter has said that he is in favor of the Northeast Interstate Dairy Compact. Senator Santorum has said that he is opposed to the Northeast Interstate Dairy Compact. He is opposed to the provision. And then only three of our Congressmen, Mr. President, have taken any position, at least publicly. Congressman Klink, Congressman Peterson, and Congressman Sherwood have all taken a position in favor of this legislation.

Mr. President, just last week the Pennsylvania consumer was informed by the Milk Marketing Board that effective May 1 the cost of milk at the retail level will be increased to the Pennsylvania consumer by at least 8 cents per gallon. The headline that appeared in the York Dispatch on April 15 said, "The Pennsylvania Consumer to Pay More for a Gallon of Milk. Marketing Board hopes May 1 increase helps dairy farmers recover." Well, I was under the assumption that this bill was the bill that was going to help the Pennsylvania dairy farmer recover. Mr. President, I am not so certain that what we are doing today is anything more than additionally increasing the cost of the milk to the Pennsylvania consumer.

There is nothing that I would like to see take place more than help the Pennsylvania dairy farmer. The Pennsylvania dairy farmers have said to me over and over that they need the bill now. They would prefer to have the bill the way it was introduced, with the proper types of protections for the consumer and for the dairy farmer, but for some reason, and I do not know why, Mr. President, although I can surmise why it happened, that particular amendment was taken out of the bill and it was substituted by the members of the Pennsylvania Milk Marketing Board.

Now, Mr. President, there are three members of the Pennsylvania Milk Marketing Board. One is a gentleman by the name of Robert J. Derry, whose term expires on May 1, 1999, just 2 weeks down the road. He was appointed to represent the consumer interest on the Milk Marketing Board. However, if you look at his background, you will find that prior to his retirement he was a milk dealer working for Sealtest, which would tell me that his interests would have to lie to a certain point in what is happening with the milk dealer, not necessarily with the dairy farmer.

Mr. President, there are two other members of the board, a woman from Washington County and a woman from Mount Joy, which I believe is in Lancaster County. The terms, Mr. President, do not expire until after the year 2000. One is supposed to represent the interests of the dairy farmer, I believe, and perhaps one is supposed to represent the interests of the milk dealer, I am not sure. But I do know that the way the bill was originally introduced and amended, for some reason which I still today cannot totally comprehend, that we have taken away from the Pennsylvania consumer the absolute right to be represented by an individual solely with the interest of the consumer at hand.

Now, Mr. President, of this Northeast Interstate Dairy Compact and the three members of the Milk Marketing Board, only one member is going to represent Pennsylvania in the Northeast Interstate Dairy Compact. We have over 10,000 dairy farms in Pennsylvania. We make up only one State in the Northeast Interstate Dairy Compact. There are many other States, Mr. President, including our bordering States and the New England States. The State of Vermont has 21 dairy farmers in the State. We have 10,000. We are going to have one vote on the Northeast Interstate Dairy Compact representing 10,000 dairy farmers, and the State of Vermont is going to have the same number of votes, if you will, on the compact representing 21 dairy farmers. We will have one vote, the State of Vermont will have one vote. What parity is that to properly represent the Pennsylvania dairy farmer?

Mr. President, reluctantly I am going to support this piece of legislation. I am not so sure it is going to do anything whatsoever to protect the dairy farmer in Pennsylvania. Quite honestly, I believe that the Milk Marketing Board could address the issues today of the dairy farmer. They could increase the price of the bulk rate of milk in Pennsylvania. They can reduce the gap between what the retail price is and what the Pennsylvania farmer is going to get paid, and then the Governor and the Secretary of Agriculture could come out and they could give us some direction as to how they think we should go to properly represent the people of Pennsylvania.

Mr. President, this is an anticonsumer piece of legislation. It is one that is going to be reflected in extreme cost increases at the retail level, but it is the only thing that we have in front of us that potentially might be able to save, at least in the short run, the Pennsylvania dairy farmers. So for those 10,000 dairy farmers, Mr. President, and a number of people from my district and from northeastern Pennsylvania who have lobbied me and asked me to support the dairy farmer who is in dire need, make no mistake about it, I am reluctantly going to cast a vote in the

affirmative. However, Mr. President, I strongly feel, and I hope that I am wrong, that the cost of milk to the Pennsylvania consumer is going to increase dramatically, and that is something that I totally oppose.

Thank you very much.

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

Senator MADIGAN. Mr. President, in some areas I have to concur with Senator Mellow. I would point out that I was the one who introduced the amendment to have our Milk Marketing Board represent us there. Our Milk Marketing Board is very much involved in looking, and part of their direction is to make sure that the consumers of Pennsylvania have an adequate supply of high quality milk. I think if we look at the record we will find that the consumer member, Mr. Derry, was nominated by Governor Robert P. Casey as a consumer member of that board and was confirmed unanimously by this Senate. His term will be expiring, as the Minority Leader pointed out, and we will have the opportunity to look at that member. He has to be confirmed by a two-thirds vote of this Senate.

I would like to point out that for the most part the funding of our statewide Milk Marketing Board comes from dairy farmers in their hauling charges and the milk processors. I think the bill we passed yesterday provided a small amount to that, but the vast majority comes from the industry itself. Concerning the consumer prices during the months of October, November, and December of 1998 and January of this year, the Federal ordered prices were higher than those set by the compact, and so you are looking at higher prices to the consumer. They should not be any higher than they had been at that point.

The other thing to remember with our Milk Marketing Board is that it only covers 20 percent of the milk produced in Pennsylvania. Those dairy farmers in Senator Mellow's district, Senator Slocum's district, and my district go into New York State. However, that Milk Marketing Board has a connection with those because we have the Milk Security Fund, which is administered by the Milk Marketing Board, which points out and follows up and makes sure that the dairy farmer who has produced milk for 40 days not knowing what price he will receive until that point actually is funded and is not impacted by bankruptcies of processors and/or cooperatives. So there are ongoing meetings on that.

The costs to this Commonwealth and to the Federal government are minimal. This is a producer program. They are required to look at the impact on the consumers and that differential as they set a base price every 6 months, which must be approved by two-thirds of the membership of the compact, plus a producer referendum which must pass by a two-thirds vote. I believe that as part of the economy, as well as responding to the concerns of the consumers of this Commonwealth, I think our Milk Marketing Board and we as a Senate and leadership have the opportunity to provide that input, and I feel that this is moving in the right direction.

I urge an affirmative vote.

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

Senator MELLOW. Mr. President, just in conclusion, I would like to point out that as I stated before, the individual who was

supposed to represent the consumer interests, hopefully, on the Milk Marketing Board that his term expires May 1. It is a two-thirds vote for confirmation. We have not seen his name come to the Senate as we talk today for reconfirmation to the Milk Marketing Board.

Secondly, Mr. President, what also concerns me is that the people who not only have a dairy farm but also have a retail outlet for the milk are going to benefit tremendously not only from what took place with the Milk Marketing Board in their actions last week, but also what is going to take place with a Northeast Interstate Dairy Compact.

And finally, Mr. President, what concerns me without question more than anything else is the consumer, the individual, the man and woman out there who is trying to feed and raise their family, who can least afford to have an increase in the retail price of their milk when an increase in the retail price of milk in Pennsylvania today is not necessary. What is necessary is an increase in the bulk rate of milk for which the dairy farmer is getting paid.

The poor consumer in Pennsylvania, Mr. President, with this particular piece of legislation better be very careful, because I think there are hollow promises being made through this piece of legislation and it worries me terribly as to what the conclusion could be several years down the road. And if history serves to repeat itself as to what has taken place in the New England States, once they entered into the compact the retail price of milk in every State or in a number of the New England States increased by 20 cents a gallon. If you increased the milk by 20 cents a gallon, piggybacked on what has taken place with the Milk Marketing Board of the 8-cents-a-gallon increase, Mr. President, the consumer in Pennsylvania, with the enactment of this proposal, could find their milk price increasing by at least 30 cents per gallon over the next several months.

Maybe that is the reason why the Governor has been silent on the issue. Maybe that is the reason why the Secretary of Agriculture has been silent on the issue, and maybe that is the reason why Senator Santorum has said he opposes the issue. Mr. President, this is not a panacea, and this is not a bill that is going to cure all the problems with the dairy farmer. This is a bill that is going to put the price of milk to the consumer and to our school districts and to everyone else who drinks milk, this is going to increase the cost of milk in Pennsylvania, and any other way that you want to sugarcoat it, Mr. President, it cannot be done. This is an increase in costs at the retail level of milk in Pennsylvania, just so people know what we are voting for before we cast that vote.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request temporary Capitol leaves on behalf of Senator Salvatore and Senator Gerlach, who have been called from the floor.

The PRESIDENT. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Fumo.

The PRESIDENT. Without objection, that leave is granted.

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-44

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

NAY-6

Belan	Costa	Murphy
Bodack	Greenleaf	Wagner

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

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

SB 241 CALLED UP OUT OF ORDER

SB 241 (Pr. No. 246) — Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION, DEFEATED ON FINAL PASSAGE

SB 241 (Pr. No. 246) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for protective equipment for motorcycle riders.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

Senator LOEPER. Mr. President, for the information of the Members, this is the motorcycle helmet bill. If any Member wishes to get up to speak on the bill, now would be the time to do so before we call for the final vote on it.

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

Senator MOWERY. Mr. President, as chairman of the Senate Committee on Public Health and Welfare, I would be remiss if I did not share with you testimony, information, and facts which have been forwarded to me which should be considered as we discuss the potential of repealing the Pennsylvania Motorcycle Helmet Law.

In a letter from the president of the Pennsylvania Medical Society, dated April 16, 1999, Dr. Lawrence says, and I quote: *(Reading)*

Physicians, especially those caring for trauma patients in hospital emergency rooms across Pennsylvania, see first hand the physical damage motorcyclists endure as a result of traffic accidents. There is no doubt that repealing existing law regarding motorcycle helmets will cause many minor injuries to become life threatening.

He states, "...this issue is not one of "freedom of choice," ...the state bears the responsibility for the regulation and use of vehicles on public roads. As you know, the state already mandates the use of seat belts, child restraint devices, speed limits, licensing drivers through testing, and the use of florescent orange for hunters. Are these issues "freedom of choice"?"

As physicians, often on the front line of saving the lives of traffic accident victims, we see this issue as a matter of —just plain— common sense....

From the Pennsylvania Chapter, American College of Emergency Physicians, I quote:

Many have said that the Commonwealth's helmet law restricts personal freedom and choice. We both know that in some cases, the best way to educate the public about safety issues is to mandate safety precautions. For instance, motor vehicle deaths have declined as a result of mandated seat belt use and strict DUI laws. Such is also the case with this law.

Pennsylvania's emergency physicians have said again and again, retaining the Commonwealth's helmet law is good medicine and —but more important is— good public policy.

In Maryland, motorcycle fatalities increased by 50 percent after the helmet law was repealed in 1979. Maryland re-enacted its law in 1992 due to the continuously increasing number of motorcycle deaths.

Texas repealed its helmet law in 1997. Texas Department of Public Safety preliminary reports indicate a 42 percent increase in motorcycle rider fatalities in the first six months of 1998.

From The Philadelphia Inquirer on April 10, 1999, a major statement:

Helmets save lives. Period.

Experience, it's said, is the best teacher. And wiping out on his motorcycle has shaken up the thinking of one vocal opponent of Pennsylvania's mandatory-helmet law. Now Pittsburgh radio host John Cigna is a believer.

Until his March 27 accident, Mr. Cigna says, "I had been advocating the governor to sign that bill to repeal the law. Helmets are hot and cumbersome. Now I have to thank the governor for saving my life by *not* signing it. My helmet is sheared down to the plastic, and has a crack in it, too. But I have no head injuries or any to my back or neck."

The bottom line is that helmets save lives. Ask Mr. Cigna, who returned to work Thursday in a wheelchair and still wearing a partial cast on his leg. He told The Inquirer, "I still want people to have a choice. But if I were in the legislature and had to vote for or against it, I'd vote against repealing it."

From the Pittsburgh Post-Gazette:

It's a fast track to stupidity. It will end the lives of many of Pennsylvania's sons and daughters, not to mention those of older riders. It will make the jobs of hospital emergency department staff and paramedics more complicated and harrowing. It will cost state taxpayers millions of dollars annually in picking up the costs of dealing with needless, chronic head injuries.

The fact is that there's plenty of freedom to be found on the state's roads — whether you are on two wheels or four. There are also rules and responsibilities. Wearing a helmet may be an inconvenience to some people, but it has proved to be a big factor in saving lives in a crash. Ask John Cigna.

From the Hospital Association:

Motorcycling is an important method of transportation and a source of great relaxation and enjoyment. However, the issue of personal choice should not overshadow the sobering reality that motorcycling can be dangerous, even for the most experienced riders.

Choosing not to wear a helmet is not about personal choice. It is about safety and the recognition that, without this requirement, individuals will suffer and health care costs will rise.

Mr. President, I could give many more testimonies from the health insurance industry asking us to really be very careful on how we vote today because it can affect the lives of many of our constituents, but more importantly, it can affect the costs of health care. Health care in Pennsylvania is a major issue for not only employers but for all of us as individuals. If we cannot keep it affordable, we have more uninsureds, and more uninsureds who are riding motorcycles means the taxpayers are going to pick up their medical expenses.

Thank you very much, Mr. President.

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

Senator BELL. Mr. President, in Pennsylvania, according to the last statistics that I have, there are slightly over 748,000 licensed motorcyclists. As my good friend Senator Fumo once said, can you count? Well, I can divide. When I divide 50 into 748,000, I come up with the figure of some 30,000 licensed motorcyclists in each and every one of our senatorial districts.

I am trying to speak here. I am sorry, I am being interfered with by conversation.

I will start where I left off. There are 30,000 licensed motorcycle drivers in each and every one of our senatorial districts, or approximately that number. Now, are these people people of good judgment? Are they wild-eyed, long-haired types who have no good sense? I submit that our neighbors who are licensed motorcyclists are largely mature, respected citizens. I know a good percentage of them are Vietnam veterans, and when they arrive in Harrisburg next month, they may have tattered jeans and their colors, but go out and look at those cycles. Those cycles they ride are probably worth \$15,000 to \$20,000 a cycle. They are spotless. And this reflects the type of people riding those cycles. And for us by voting not to give the freedom of choice to 30,000 of our neighbors in our respective districts, it sort of infers they do not have good judgment. I am not willing to accept that.

Now, I have seen the statistics. I have seen the statistics on both sides. Those who want to keep helmets, I have seen their statistics, they are very threatening. And I have seen the statistics that have been put together by ABATE and other motorcycle organizations who speak for most of the 748,000 motorcycle drivers, and those statistics are not the same. I say the figures are correct, but there are different uses of figures that are being furnished to each and every one of the Senators in this room.

This bill has a provision that one year after its effective date, the Legislative Budget and Finance Committee is to do an impartial performance audit and come up with the figures and to give to the House and Senate an impartial, accurate report. So we have that in the background.

Now, I also want to point out, there are 28 other States where the legislatures say we respect the good judgment of the motorcycle riders and you may have the option, the freedom to choose whether to wear helmets or not. Now, I personally respect the good judgment of my neighbors who are licensed motorcycle operators.

I know there are eight different amendments to this bill. I think you are going to witness probably four or five different speeches, and I am not going to take up the time of this Senate by making a long-winded speech after each speech made by an opponent because this is not a new issue. This issue was thoroughly discussed within the last year. We have new members in the Senate. As I look around, all but Senator Corman have good experience in the House of Representatives. They know the issues. They know the issues. They know the choice. And the choice today is do you respect the good judgment of 30,000 licensed motorcyclists who reside in your district? Or do they have bad judgment but you have good judgment? I think that is the choice.

Now, I want to say a few more words and I will shut up. I do not have a prepared script prepared by somebody else, but I want to point out again that licensed motorcycle drivers are mature, respected citizens. And I want to point out that I witnessed ceremonies in Philadelphia last year, and some of the other Senators did, were there not 3,100 motorcyclists gathered in Philadelphia to participate in Toys for Tots? And were they not a well-organized, well-behaved, respected group? Last December I was present when 3,100 motorcyclists from ABATE, and from all the other organizations, had a rally in my county and they all brought toys for tots. They loaded several truckloads of presents for the kids. Then last December I was at Fair Acres, which is our home for the aged in Delaware County, and I saw 200 of my neighbors arrive on cycles, including two or three Santa Clauses, with presents for the old people.

Now, let me put this to you. Are those the acts of irresponsible people? I say not. I say this again, and I will say it again and again, although I am not going to make a speech after every amendment, I am going to say this: There are 30,000 of your neighbors watching today with Pennsylvania Cable Network, and what you do today and your vote today will be observed very closely by your neighbors. And again, I urge we pass this bill and we pass it without amendments, because I consider every one of these amendments as a poison pill. And those who make

the amendments, why do they not just get up and fight against the bill instead of dropping poison pills?

Thank you.

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

Senator WAGNER. Mr. President, I rise to talk about this bill in total respect for my colleague from Delaware County who has sponsored the bill and has been a true advocate for the motorcycle riders in Pennsylvania who are supporting the repeal of this legislation. Mr. President, I am one of those licensed motorcycle people. On my driver's license is the code as a motorcycle operator. I am also a Vietnam veteran. I know my colleague is a veteran with many years in the military and I have the utmost respect for him, as I do for everyone in this Chamber and the positions they take on issues.

I may add, Mr. President, that I also have respect for the motorcycle organizations that do an unlimited amount of volunteer service, ABATE being one of them, and a number of other motorcycle organizations across the Commonwealth of Pennsylvania. The Toys for Tots and a number of other public service initiatives, that cannot go unrecognized, and I compliment them all for what they do.

Mr. President, the issue in front of us here today, though, is not that issue. The issue is whether or not this body, this Senate and the Commonwealth of Pennsylvania, is going to change a law that has been in existence for 30-plus years that has truly saved hundreds, if not thousands, of lives in Pennsylvania. And we are going to take a step backwards in time and do what some other States in this country have done and have regretted doing, which is repealing a motorcycle helmet safety law. I say that because this Senate really is, Mr. President, the way I view it, the last hurdle to get over on this issue.

The issue failed in this Senate two of the three times that I have been here and we voted on it. It passed the last time. Fortunately, it was vetoed by the Governor due to the eye protection provision that was also repealed along with the helmets. The Governor had the good common sense to veto that legislation. I would hope if this passes he would have the common sense to veto this legislation. However, my fear is that is not the case, because he has basically said he would sign the bill if it passes minus the eye protection that was included.

I must also add that the bill has passed the House by an overwhelming margin in the past. So that gives me great concern. Great concern because if it passes today in the Senate, the likelihood is that it will pass in the House of Representatives and the likelihood is that it will be signed by the Governor of the Commonwealth of Pennsylvania. So, Mr. President, I would hope that everyone would take a good, hard look at this legislation today and talk about what it really does, and what it does is it puts every motorcycle operator and every rider of a motorcycle in the Commonwealth at a far greater physical and psychological risk in the future.

Now, the gentleman from Cumberland County, Senator Mowery, indicated there have been some converts in recent months, people who have opposed the wearing of motorcycle helmets who are now in favor, and basically anyone who has had

an experience dealing with a motorcycle accident has become a believer that motorcycle helmets work.

The Senator indicated one such person, the talk show host of KDKA Radio in Pittsburgh in the morning, John Cigna. John Cigna is alive today because we did not vote to repeal this legislation in 1998. He is alive today, he is a living, breathing example of the action that we took several months ago. Not voting to repeal saved his life, because approximately 4 weeks ago, on a Saturday morning when it was 70 degrees, John Cigna went for a ride on his motorcycle and he has said that if there would have been a repeal of the law, he would not have been wearing a helmet. Well, he went into a turn on his motorcycle, traveling at a normal speed, 35, 40 miles an hour, and lost the cycle and hit a wall, and what hit the wall and what part of his body actually scraped the wall for a number of feet was his helmet and his head inside that helmet. The helmet cracked, it had taken away the outer surface of it, and without him wearing it, that would have been his brain. If not dead, he probably would have been a vegetable. So there is one example that our action in this Chamber several months ago saved a life, a Pennsylvania life, a person well known in the Pittsburgh area.

Mr. President, there is another example. In the Easton Express, on April 18, 1999, a young 26-year-old Easton man was riding his motorcycle, Ron Walters, and this was videotaped. I did not see it, maybe some of you have. He was riding along Route 611 in Williams Township last Wednesday. Somehow or other he lost control of his bike and ended up underneath a tractor trailer, and Mr. Walters indicated, and I quote, "If it wasn't for the helmet, I would have been squished," he said the next day." And he publicly stated, "Don't repeal the helmet law. It's the only thing that saved my life." Mr. President, that occurred within the last week, a motorcycle operator, and one several weeks ago, Mr. Cigna.

Mr. President, there are probably numerous other examples that I am not aware of just within the last year of people whose lives have been saved because we had the common sense in this body, and the Governor had the common sense in his veto, as we did previous times, not the last time, not to repeal this law that has been in existence for over 30 years.

There have been numerous others involved in motorcycle accidents who have corresponded with us on this issue. And virtually every single organization or individual, Mr. President, that is involved directly or indirectly has said to us, this is not the right thing to do. The independent insurance agents, as Senator Mowery knows well, 12,000 strong, have said, please do not repeal this law. Insurance rates will go up, people will be hurt.

The Pennsylvania Fire Services Institute, Mr. President, and they quote in their letter, "In Pennsylvania, the Crash Outcome Data Study, which links police reports, ambulance reports and hospital discharge data, indicates that 3,169 motorcycle crashes involved injuries in 1994." That is the last time they have tabulated this comprehensive data. They have indicated from an insurance point of view that 15 percent, or 303, of those motorcycle operators did not have insurance. And they further indicated that 30 percent—14 plus 30, approximately 45 percent—the other 30 percent were covered by Medicaid. What does that

mean, Mr. President? It is a public cost to the 12 million citizens of Pennsylvania.

Another correspondence is from the Insurance Federation of Pennsylvania. They have clearly indicated that this is not in the best public interest, it is not in the best interest of the insurance rates for all Pennsylvania motorists.

The Epilepsy Foundation, Mr. President, has communicated with us and they have stated, "Head injury is one of the most preventable causes of epilepsy/seizure disorders. Motorcycle helmets save lives and prevent head/brain injuries! Do not repeal our current helmet laws....We feel very strongly that this is bad public policy....Repealing the helmet law will certainly lead to an increase in head injuries and brain trauma."

The AAA, Mr. President, of which many of us are members, and millions of Pennsylvanians are members, has indicated clearly this will increase the number of fatalities and that this will also increase the number of severe injuries for people on motorcycles.

And, Mr. President, another correspondence that I have is from a Mr. Martin, a motorcycle operator, and he stated, "I have ridden motorcycles since 1968. I sold them for 13 years, raced them for 10 years and have taught Pennsylvania's Motorcycle Safety Program since 1985.

"Please rally your fellow Senators to defeat SB 241."

He further states, "A law is 'an ordinance of reason, enacted for the common good.'" What is in front of us today fails on both counts. Mr. President, I could not say it better.

Mr. President, there are a number of reasons that I could go on and on and on about this issue. I feel very passionate about it because if we pass this legislation today, it is not just an injustice to the riders and the operators of motorcycles, of which I am one, but it is an injustice to this body, I think, because it sheds a bad light on legislative action by the Senate of Pennsylvania, and I would ask my colleagues to please consider their vote. In doing so, as I have stated with at least two examples, we will absolutely, positively, without a doubt save lives of Pennsylvanians in the process.

Thank you.

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

Senator MURPHY. Mr. President, there are a large number of fine people on either side of this issue, but this is not a debate about the qualities or the personalities of those on either side. It is the issue itself and its impact upon the lives of the people involved. There are those who are for, certainly many a fine motorcycle owner themselves, and there are those who are against, and among those who are vocally against are those who have been injured in accidents and their loved ones, those who treat the accident victims, and those who pay for it.

I have received letters on both sides of the issue, and many times references are made to studies done here or there, talking about cyclists not being a social burden, there are other ways of improving motorcycle safety, that motorcycle training helps, and that people have to decide for themselves. But here we go back to the issue of what cost is there for all of us? Do helmets really have an effect? And as I read and reread and reread medical journal reports and information from the Insurance Institute for

Highway Safety, the evidence continues to come through in compelling ways that helmets do not make a small difference but a huge difference.

And I put this in light of the debates that we had in this Chamber with regard to other health care reforms, decisions of what to do or not to do as we debated what eventually became Act 68, that if we had some mandate from the State and what that would do to the cost to employers who pay for health care. It is interesting to me that has not been part of this debate, but it is one that we cannot escape because there are costs and someone has to pay that, whether it is taxpayers paying the burdens of those who are injured and survived, or whether it is insurance companies, and then the cost is passed on to all of us in higher premiums.

Let me deal also with a couple of the claims and counter-claims of whether or not helmets make a difference. First of all, are there drawbacks to helmet use? Let me quote the Insurance Institute for Highway Safety. Claims are made, for example, that it increases the risk of neck injuries. A study by J. P. Goldstein is often cited by helmet opponents as evidence that helmets cause neck injuries, allegedly by adding to head mass in a crash. But more than a dozen studies have refuted these findings. A study reported in the Annals of Emergency Medicine in 1994 analyzed 1,153 motorcycle crashes in four mid-western states and determined that, quote, "Helmets reduce head injuries without an increased occurrence of spinal injuries in motorcycle traumas."

What happens if we make helmet use voluntary? How many motorcyclists wear helmets when not required by law to do so? I am often told that the vast majority of people will wear helmets, but without a helmet law only about 50 percent of motorcyclists wear helmets. Helmet use is near 100 percent when a law requiring all motorcyclists to wear helmets is implemented. Again, that is from the National Institute for Highway Safety.

How about the impact of motorcycle helmet laws on health care costs? Some studies say that when you are not wearing a helmet it could be 8 percent higher. For head-injured patients treated and released from emergency rooms, the drop was even more substantial, 43 percent. A study of the effects of Nebraska's reinstated helmet use law on hospital costs from the total acute medical charges for injured motorcyclists declined 38 percent after the law was implemented. Or what about this from a study printed in the Journal of Trauma? It said that the "average hospital stay, need for intubation, prolonged mechanical ventilation, and prolonged intensive care unit stays were all less" for those who had helmets.

Another from the Journal of Trauma by McSwain and Belles stated that "The risk of head injury was 2.07 times higher for nonhelmeted motorcyclists than it was for helmeted riders, and the risk of fatal crashes was 1.44 times higher for the nonhelmeted riders. Medical costs decreased 48.8%, length of stay decreased 37%, and the cost of long-term disability...decreased 81.2%" when the riders had helmets on.

A study from the Journal of Head Trauma Rehabilitation by Romano stated that "Failure to wear a helmet was the single most important risk factor for head injury...." A study published in the Journal of the American Medical Association said full

helmet use laws were found to reduce the head injury death rate among motorcyclists.

A study in the Annals of Emergency Medicine, by Braddock, said the "Total costs exceeded \$29 million; 29% of the hospitalized patients were uninsured and 42% of the cost was not reimbursed to the hospital." Another study in the Annals of Emergency Medicine, by Muelleman, stated that after passage of laws that reinstated helmet use, "there were a 26% decrease in crash rates, a 28% decrease in persons injured, a 37% decrease in ambulance transports, a 38% decrease in deaths, and a 54% decrease in serious head injuries. A 38% reduction in health care charges for motorcycle trauma occurred after implementation of the law." The evidence is irrefutable and compelling.

We all care about our freedom and we all care about the lives of others too, but as I look at the data that is continually presented in solid medical research, they continue to tell us that there are lives that are saved, there are injuries that are prevented, and when that is not done that cost is borne by someone. We have a bill before us that does not talk about who pays for it, except that we will look at that in a year. In the meantime, we will bear that cost. And it is harder once you have a bill in to get rid of it than it is to put it in in the first place.

So I believe the evidence is compelling and it really pushes us in the direction that we need to maintain the law as it is. This is not about the good people who are out there on bikes, this is not about the quality of their lives, or certainly their right to state what their views are. It has to do with the other 12 million Pennsylvanians who have to pay for this.

Thank you, Mr. President.

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

Senator ARMSTRONG. Mr. President, I do not think there is a Member in this Senate Chamber who believes that if this bill passes there will be fewer injuries. They know there will be more injuries and more deaths without helmets. I think we all understand that. And the debate we are having right now is not going to change anybody's vote. We kind of knew how we were going to vote before we came into the Chamber this morning.

People riding fast bikes without helmets know that they are in trouble. These bikes are out there going 0 to 70 miles an hour in 4 seconds. People are buying motorcycles and they do not even have a motorcycle license. What really bothers me is that any one of us who has a regular driver's license in Pennsylvania can now get a permit which is good for 3 months and with that permit we can go out and buy a motorcycle and ride a motorcycle that goes 0 to 70 in 4 seconds, no questions asked. After the 3 months are up, we go in and get another permit. We can do this time after time. So we have people on motorcycles, now perhaps without helmets, who do not have any formal training and do not even have a motorcycle license.

Also, if this passes, the Harley drivers out there will be stopped by the police and have their ages checked to see how old they are or if they have had a motorcycle training course. They will consider this harassment.

You know, in the two States--Senator Mowery referred to this--which repealed the motorcycle helmet bill, Maryland and Louisiana, they also reversed their actions because they saw a tremen-

dous increase in fatalities and injuries. In fact, after they repealed it in Hawaii and Kansas, the injuries and fatalities went up 63 percent. In Minnesota, the increase was 47 percent, and Indiana saw a 42-percent increase. We all know this is going to happen.

You know, I am passionate about this, and I have fought this every time it came up. I guess this is the third time that I have fought this bill, and up to this point we have won. But I have sons who were raised riding motorcycles. I have ridden motorcycles and I enjoy it. My one son is an excellent motorcycle rider, and one day he was going to work on a Ninja and he went down our road, which he has ridden hundreds and hundreds of times. This particular day apparently someone put gravel on the corner. He never expected it. As he went around that corner, probably a little faster than he should have, he saw the gravel and immediately knew he was in trouble, but as an experienced driver you know what to do. You kind of lay the bike over and ride it out. Well, that is what he did, only to realize that when he started sliding on the gravel, the gravel ended and he caught the bare pavement. It threw him airborne and he landed on his head after probably going 15, 20 feet in the air. He walked away from that accident badly shaken up, but had you seen that helmet, you know he would have died, or maybe even worse, been a vegetable for the rest of his life. That is the passion I have, and I know helmets work.

Senator Murphy talked about the cost to taxpayers. There is no doubt this is going to cost all of us tens of millions of dollars. But the misery, the pain, the suffering to the riders and to their loved ones pales in comparison. That cost we cannot even measure. I urge us to do what is right, not what is politically popular. I urge a "no" vote on Senate Bill No. 241.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Fumo has returned to the floor, and his temporary Capitol leave is cancelled.

And the question recurring,
Shall the bill pass finally?

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

Senator FUMO. Mr. President, I have listened to the anecdotes of people whose lives have been saved by wearing helmets, and I suspect that there are probably just as many people who were killed while they were wearing their helmets, and I also suspect that if we passed a law that said that you had to wear a helmet inside of an automobile you might save some lives as well.

Mr. President, that is not the issue we are dealing with today. I have listened to the comments from every special interest group which has written today on this issue. I have listened to the trauma doctors, for example, whose first response to anything is to do away with the problem. They are the same ones who tell us that we should outlaw guns because people get shot

with them. They are the same ones who tell us we should outlaw bicycles because people get hurt with them.

Mr. President, everyone has a legitimate concern about health and safety, but in this society and in this country there is an overwhelming concern for personal freedom that supersedes that. Mr. President, this is not about which group does charitable work, it is not about how many people are in the group, it is about whether or not we are truly sincere about wanting to give people the rights that they are entitled to, and it is about whether or not we truly want to get government off of people's backs.

Mr. President, some people might get hurt by riding a motorcycle and not wearing a helmet, the same way they might get hurt if they were wearing a helmet. The question here is individual freedom. This is America. In this country we have the right to do things, and we should protect that right at each and every turn of the road. This is a law that should not have been put in place in the first place. We are only rectifying and returning to those people their personal choice and their freedom and their liberties.

There are quotes from all over the place, Mr. President, and everyone can make any argument they want to make, but no one can argue with the indisputable fact that in this country we have the right to personal freedom. That is all this is about. These people can do wonderful things, which they do with Toys for Tots and everything else, but that is not the issue. They are Pennsylvanians, they are Americans, they are entitled to the same freedoms and liberties that we all are. It is up to them to decide how safe they want to be.

We could probably save lives by making adults wear helmets when they ride bicycles, and I have told this story before. We mandate it for children because they are not yet of the age of reason to make that decision. For adults it is optional. My wife wears her helmet. In fact, I just bought her one the other day with a new bike. It cost me \$75 for a bike helmet, but she wears it. She will not ride a bike without it. She has me wearing it on my little bike, but that is my option and her option. The government is not telling us we have to do that.

It is the same issue here, Mr. President. In the State where we have the Liberty Bell, where this all began at Independence Hall, we should not even be spending this much time debating about what we want to do to, quote, "protect our fellow man," because that becomes a slippery slope. God knows what someone will think of to do next to protect someone by taking away some more of their freedoms.

And it is scary enough, Mr. President, that we have digressed so much because of our fear of drugs in the area of criminal law that we have taken away some personal liberties there that we might not otherwise do, and that concerns me as well. But let us try always, always to make our compass point toward the direction of empowering people with personal rights and civil liberties. That is what this is all about, Mr. President. Despite all the passion of my colleagues, and their well-meaning passion, they can never forget what this country is about. I urge an affirmative vote.

Thank you, Mr. President.

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

Senator WAUGH. Mr. President, in this legislative arena we probably all have our own little names for the types of legislation that we deal with. For me there are the slam dunks, those are the unanimous "yes" votes. Everybody is a "yes" and there is no debate. And we have the "no-brainers." They are the unanimous "no" votes and there is no debate, it just happens. This issue falls into my category as a "tug-of-war" issue. And I think, based on what we have heard today and the discussion that has surrounded this issue for so many years, it is probably a tug-of-war issue for many folks, not only here in the General Assembly but back home as I hear from constituents.

On either end of that tug-of-war rope is the issue that was just articulated by Senator Fumo. That is the personal rights decision, the right to decide, the right for an individual to make that choice on their own and have freedom. And on the other end of my tug-of-war rope is the public policy question, protection through public policy. Is it our responsibility here in the General Assembly to enact appropriate policy that protects people?

And I am not thinking just protecting people from themselves or from scraping their heads along the road, because I sort of believe that is a personal decision that one makes, but I would like to focus more on the public policy question of cost. That was alluded to earlier in a few of the other comments from the other Senators. You know, the average cost of hospitalization for motorcyclists who suffer head trauma is about \$43,000, and that is a statistic that comes from the Hospital Association of Pennsylvania. So I have to assume that is at least very close to accurate. But here is something to really think about. Less than half the costs of motorcycle injuries, at \$43,000 a pop, are covered by private health insurance organizations. And what does that mean? That means that the other half, \$21,500 of each one of those injuries is paid by the taxpayer. In one way or another, it is paid by the taxpayer, we the citizens of Pennsylvania.

You know, no matter where you are on this issue, on either end of that tug-of-war rope, I think everyone would probably agree that riding a motorcycle has its dangers. You are taking a risk when you ride. I would like to state just a couple more facts and statistics, and I know it was mentioned earlier that we can pull them out of the air, but I have to believe that when you realize that in the past 4 years there have been 2,600, a little better than 2,600 individuals who were seen in our trauma centers. We have 26 trauma centers here in Pennsylvania, and these are the severely injured people. These are not the folks who go to the local emergency room, these are the folks who are flown out and addressed at high levels of care, actually costs that exceed \$43,000.

I think it is significant also to consider that the Pennsylvania Trauma Systems Foundation, on which I had an opportunity to serve for a couple of years during my tenure in the House of Representatives, has come up with a few more statistics that are worthy of noting today, and before I mention them I would just like to point out that statistics can be spun and created in all different ways, but I would like to just put a little credibility into this particular one, because I can tell you that the Trauma Systems Foundation is a legislatively created organization, it is authorized by the General Assembly to accredit our trauma cen-

ters here in Pennsylvania. And I have had the opportunity to sit on that board and sit through the accreditation process and the evaluation that goes into creating these facts and figures and statistics that we use here when we make speeches. It is not a bunch of statistical engineers punching numbers in computers. The people who come up with these facts and analyze them to make sure they are accurate are people who are doctors, nurses, trauma center and hospital administrators, and other folks who are involved on a day-to-day basis in emergency health care.

In addition to the 2,600 trauma center injuries that happened in the last 4 years, there was an estimate that was issued along with that number, and the estimate that was issued by the Trauma Systems Foundation, after analyzing it all, was that in the past 4 years, had it not been for the helmet law that we currently have in the Commonwealth, the estimate was that 974 people would have died as a result of not wearing a helmet. We heard a few personal testimonies today, a few of those 974 people who would not have made it.

But I will go back to my original point, having said that, and say that that decision, those 974 people, with a change in this law, would have the opportunity to decide. And I have to wonder, when that bike hits the pavement and when they are flying through the air or when they are laying on that stretcher on their way to the trauma center or flying in Life Lion, I have to wonder what their personal decision would be at that time, if they had the right to make that decision.

But back to that tug of war, personal decision versus public policy, I have given this a lot of thought, and the tug of war for me has been very difficult because typically I am a pretty personal rights kind of legislator, if you will. But the facts, these and others that we have heard today, I think speak very clearly on this bill. Helmets save us all. For the cyclist, they save your head. For the rest of us, the taxpayers and those who do not ride cycles, they save us the costs, the high costs of emergency care in Pennsylvania.

I have proposed a couple of amendments that are listed today, and I have tried to strike a balance between both ends of that tug of war. I have tried to maintain some personal decisionmaking power for individuals who want to ride without a helmet, and at the same time I have tried to address the cost of health care that is associated with not wearing a helmet. There has been a request not to amend this bill, and at this time, Mr. President, I am willing to stand by on those amendments and see what the vote comes to. I would like to tell the gentleman from Chester, Senator Bell, that now, but I would like to also withhold the right to offer those amendments at some point, and at least have them discussed by the people on both sides of the issue, the ABATE people and others, because, again, I have tried to be a little creative with this issue and speak to both sides of the rope, if you will.

So with that, I would like to request a "no" vote. I do not believe we should repeal the current law, and I would ask the Members to consider that as they vote today.

Thank you.

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

The PRESIDENT pro tempore. Mr. President, just a few remarks, if I might. I have stayed here and I have listened to every

one of the speakers, and I think the debate has been excellent, recognizing certainly in one of the rarer instances of this body when this issue is not a partisan issue but rather one of how we view public policy and how public policy affects our respective constituents, and there is no question that everybody has a story to tell.

I am a father whose son, 18 years ago when he was 15 years old, was struck on his bike, came down on his head, and was in a coma for 4 1/2 days, and I certainly can understand those who have experiences where they had helmets on while on motorcycles and that motorcycle helmet saved someone's life. Today we have a law that would have required him to wear a helmet. Perhaps in those days 18 years ago, nobody wore a helmet, never even thought of wearing a helmet, and perhaps we should have done that.

Nevertheless, Mr. President, I think the issue of personal freedom is a legitimate one to consider, but I think when we take it in the context of what this General Assembly has done and the acts of assembly that have passed over the years, I think this is very consistent with public policy, a very good public policy. I have yet to hear anyone stand up who believes that we ought to be supporting this bill indicate that they intend to follow it with the repeal of the seatbelt law. I find no difference in responsible drivers, people who have driven 40,000 to 50,000 miles a year, who are required by law in Pennsylvania to wear seatbelts. Are we intending to repeal that law? I doubt it. Would we if it was offered? I do not think so.

But in the area of motorcycles there is no question that the ABATE organization has become somewhat of an effective political organization, and you cannot argue with that, and I commend them for bringing their issue to the forefront. I have met with them and they know my position, and I have consistently over the years, I do not know how many times, voted against the repeal, and this will be another instance when I do so again.

Mr. President, we have a seatbelt law. We have a bicycle helmet law. We are always looking to the issue of not only saving people's lives but recognizing that the taxpayers do indeed have an interest in the costs. I guess I would take issue with my colleague, Senator Fumo, when he says there are probably just as many lives lost with those who wear helmets as those who do not. I do not think there is a statistic that can support that. I think there are many statistics that support the latter.

And I cite, Mr. President, as Senator Bell indicated, that 20 other States have repealed the helmet law. Well, the largest State in this nation came back and repealed the repeal, and they did so because it was costing them hundreds upon hundreds of millions of dollars in taxpayer money. The statistics went considerably higher, and the experience in California showed that the repeal of the helmet law was costing the taxpayers and costing lives in the largest State in this nation.

And so, Mr. President, I do not think that the issue is whether they are safe operators. I am sure they are, but is every driver out on the road a safe driver who may hit that motorcycle driver? And I know, people who have been struck on motorcycles by cars or trucks. That is not the issue at all. Most people are responsible, whether they are driving a motorcycle or

whether they are driving a motor vehicle of any kind. That is not the issue before us because we know that accidents do indeed happen, and we know that the costs go up when we eliminate safety precautions.

Mr. President, I believe this is an issue that when you weigh the policy of personal freedom versus the safety of individuals, when you weigh it against the heartache and the cost to the taxpayer, as well as the cost to families in terms of dollars and personal pain, I have no problem coming down on the side of that I believe the helmets are the right thing to do. Maybe that is not a good political statement for me to make, but I do believe it is the right thing to do, and I think that is what each one of us wants to do as we debate this very significant issue, and it is a significant issue, and we seem to be debating it on a regular basis every 2 years. But nevertheless, I am hopeful that this bill will indeed be defeated today.

Mr. President, certainly as I look at this issue, I have an understanding and respect for those who come to Harrisburg and want to make a change. We have had many issues on the issue of choice, whether it be in education or other social issues that come down, and perhaps that word is used in a manner that suits the particular issue at that time. I think in this case, Mr. President, there is only one choice, and that is the choice of safety, that is the choice of families, that is the choice of costs, that is the choice of cluttering the emergency rooms. This General Assembly, the taxpayers of Pennsylvania support with their tax dollars a line item in the budget for the trauma hospitals that serve and deal with the people who are victims of trauma. If that is the case, there is no question, those costs and that line item are going to go up many fold.

Mr. President, as we all weigh what is the right thing to do, I hope that each one of us would recognize that the politics of it may be one thing, but the right thing to do is to maintain the issue as we have it today and continue Pennsylvania's policy of requiring motorcycle riders to wear helmets, as we require everyone to wear seatbelts, as we do with our child safety seats, as we do with our young people who ride bicycles. That is the policy that this General Assembly has established. It has been a good one, and I urge the Members to continue it.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Belan, Senator Bodack, Senator Kukovich, Senator Musto, Senator Stapleton, Senator Tartaglione, Senator O'Pake, and Senator LaValle.

The PRESIDENT. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, I also request temporary Capitol leaves on behalf of Senator Mowery, Senator Murphy, Senator Robbins, Senator White, and Senator Hart.

The PRESIDENT. And without objection, those leaves are granted.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Tomlinson, Senator Salvatore, and Senator Gerlach have returned, and their leaves are cancelled.

LEGISLATIVE LEAVE

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

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Fumo, who was called to his office.

The PRESIDENT. Without objection, that leave is granted.

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-24

Belan	Hart	Madigan	Slocum
Bell	Kasunic	Mellow	Tartaglione
Boscola	Kitchen	Musto	Wenger
Corman	Kukovich	Punt	White
Earl	LaValle	Robbins	Williams
Fumo	Loeper	Salvatore	Wozniak

NAY-26

Armstrong	Greenleaf	Murphy	Thompson
Bodack	Helfrick	O'Pake	Tilghman
Brightbill	Holl	Piccola	Tomlinson
Conti	Hughes	Rhoades	Wagner
Costa	Jubelirer	Schwartz	Waugh
Dent	Lemmond	Stapleton	
Gerlach	Mowery	Stout	

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

**PREFERRED APPROPRIATION
BILLS OVER IN ORDER**

HB 1008, HB 1009, HB 1010, HB 1011, HB 1020, HB 1021 and HB 1022 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

**NONPREFERRED APPROPRIATION
BILLS OVER IN ORDER**

SB 731 and SB 732 — Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL OVER IN ORDER

SB 194 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 366 (Pr. No. 379) -- The Senate proceeded to consideration of the bill, entitled:

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

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	Hart	Mowery	Tartaglione
Belan	Helfrick	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
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	Stout	

NAY-1

Dent

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.

BILL OVER IN ORDER

SB 465 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 496 (Pr. No. 932) -- The Senate proceeded to consideration of the bill, entitled:

An Act conferring limited eminent domain power upon certain economic development financing authorities.

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

On the question,
Shall the bill pass finally?

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

YEA-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
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

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.

BILLS OVER IN ORDER

SB 497 and HB 1023 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 18 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 50 (Pr. No. 45) -- The Senate proceeded to consideration of the bill, 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.

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

BILLS OVER IN ORDER

HB 58 and HB 124 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS REREFERRED

SB 165 (Pr. No. 162) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 171 (Pr. No. 177) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, imposing a tax on generation-skipping transfers in an amount equal to the maximum credit allowable under Federal law, and providing a penalty for failure to file a return.

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

SB 185 (Pr. No. 926) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for transfers not subject to inheritance tax and for the inheritance tax rate.

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

BILL OVER IN ORDER

SB 242 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 285 (Pr. No. 315) -- The Senate proceeded to consideration of the bill, 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.

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

BILL OVER IN ORDER

HB 314 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 318 (Pr. No. 326) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, exempting certain amount of transfers from inheritance tax.

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

BILL OVER IN ORDER

SB 360 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL REREFERRED

SB 362 (Pr. No. 363) -- The Senate proceeded to consideration of the bill, 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 definition of "real estate company" and for acquired companies.

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

BILLS OVER IN ORDER

SB 456, SB 612 and SB 642 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS REREFERRED

SB 647 (Pr. No. 916) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a Uniform Construction Code; imposing powers and duties on municipalities and the Department of Labor and Industry; providing for enforcement; imposing penalties; and making repeals.

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

SB 650 (Pr. No. 927) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, providing for a program of tax incentives, including investment tax credits to remove coal waste from the environment and to stimulate the development of a synthetic fuels industry within this Commonwealth.

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

SB 651 (Pr. No. 707) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, changing the calculation of factors relating to Commonwealth payments for vocational curriculums.

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

SB 652 (Pr. No. 708) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, authorizing area vocational-technical boards to establish capital reserve funds.

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

SB 653 (Pr. No. 709) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for Commonwealth reimbursements for vocational-technical programs; and making an appropriation.

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

SB 654 (Pr. No. 710) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Vocational Education - Employer Partnership Program; and providing for business tax credits.

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

SB 655 (Pr. No. 924) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing an incentive program to increase enrollment at area vocational-technical schools; and making an appropriation.

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

SB 656 (Pr. No. 925) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, increasing the Commonwealth payments for approved vocational extension classes and preemployment training classes.

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

SB 769 (Pr. No. 799) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Community and Economic Development to establish a program for continuing education of qualified tax collectors.

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

BILL OVER IN ORDER

SB 798 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS REREFERRED

SB 799 (Pr. No. 868) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, increasing the additional dependent income allowance for the special tax provisions for poverty.

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

SB 802 (Pr. No. 928) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, increasing the maximum amount of the net loss deduction for corporate net income tax purposes.

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

SB 813 (Pr. No. 889) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the amount of blind veterans' pensions and for paralyzed veterans' pensions.

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

SB 825 (Pr. No. 908) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, reducing the rate of capital stock and franchise tax.

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

SB 826 (Pr. No. 929) -- The Senate proceeded to consideration of the bill, 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 apportionment of business income for corporate net income tax purposes.

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

SB 827 (Pr. No. 911) -- The Senate proceeded to consideration of the bill, 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 rate of inheritance taxes.

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

BILL ON SECOND CONSIDERATION

SB 832 (Pr. No. 915) -- The Senate proceeded to consideration of the bill, entitled:

An Act redesignating a portion of the Lackawanna Valley Industrial Highway, SR 0006, as the Governor Robert P. Casey Highway, and designating the Olyphant on and off ramp, Exit 2 of the Lackawanna Valley Industrial Highway as the Representative Joseph G. Wargo Exit.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

RECONSIDERATION OF SB 366

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, I request that the vote by which Senate Bill No. 366 passed finally be reconsidered at this time.

The PRESIDENT. Senator Kasunic moves that the vote by which Senate Bill No. 366 passed finally be reconsidered.

The motion was agreed to.

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-48

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

NAY-2

Boscola	Dent
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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.

**SENATE RESOLUTION No. 51,
AMENDED AND ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 9 of the Calendar, Senate Resolution No. 51, entitled:

A Resolution designating the month of May 1999 as "Child Abuse Prevention Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

Senator BRIGHTBILL offered the following amendment No. 1654:

Amend second Whereas Clause, page 1, lines 4 and 5, by striking out all of line 4 and "children and" in line 5 and inserting:

WHEREAS, In 1997 child abuse killed thousands of children nationwide, including 49 deaths in Pennsylvania; and

WHEREAS, Child abuse

Amend second Whereas Clause, page 1, line 6, by inserting after "children": every year

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

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

**UNFINISHED BUSINESS
CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Paul Wenrich, Kyle A. Nardella, Hal LeFever and to Roger Maguire, Jr., by Senator Armstrong.

Congratulations of the Senate were extended to Florence Patricia Caruso and to Craig Thompson by Senator Belan.

Congratulations of the Senate were extended to Mr. and Mrs. Arlington Northern, Mr. and Mrs. Henry W. Davis, Sr., Mr. and Mrs. Michael J. Russo and to Mr. and Mrs. Dominic Liberatore by Senator Bell.

Congratulations of the Senate were extended to Lorenzo Hill by Senator Bodack.

Congratulations of the Senate were extended to Theresa Smollinger, Helen Coleman, Kristen Maloney, Reverend Edward Arnold Thompson, Tina Marie Hagenbuch, Lindsay Michelle Citrino, Scott Stephen Zientek, Melissa E. Newhard, Nicholas W. Bramble, Michael Lowe, Jeremy L. Searock, Kristin Ann Long, Helen V. Fleming and to Raegan Leigh Medgie by Senator Boscola.

Congratulations of the Senate were extended to Sarah Jane Hoff, Lori M. Heintzleman, Joseph Nathan Krenicky, Richard Jones, Pooja Sharma and to Kimberly A. Kane by Senators Boscola and Dent.

Congratulations of the Senate were extended to Jay Khadpe, Fannie Spang and to the Annville-Cleona Boys' Basketball Team by Senator Brightbill.

Congratulations of the Senate were extended to Derek J. Sheaffer and to Dr. Edwin R. Knopf by Senator Conti.

Congratulations of the Senate were extended to Michael J. McGrail, William Bothe, Matthew C. McKinney, Michael Duane Doty and to Josh Randolph by Senator Corman.

Congratulations of the Senate were extended to Scott Green and to Linda Betterers by Senator Costa.

Congratulations of the Senate were extended to Kristen Maurer, Katherine Marie Young, Heidi E. Newhart, Todd Brown, Rehab George Tabchi, Michael A. Cascioli, Ryan Patrick McCarthy, Eric Truchan, Kelly Ann Berg, Tammy Renee Huskey and to the Pennsylvania Apparel and Textile Association by Senator Dent.

Congratulations of the Senate were extended to Mark J. DiGiacomo and to Julie Ives Kunkle by Senators Dent and Brightbill.

Congratulations of the Senate were extended to Eric Buetikofer and to Nathan A. DeCarolus by Senator Earll.

Congratulations of the Senate were extended to the National Museum of American Jewish History of Philadelphia by Senator Fumo.

Congratulations of the Senate were extended to J. David Codrea, Jr., Michael K. DeAngelis, David Joseph Sendef, Richard E. Takacs, Thomas A. Whitehead, Joel W. Thomas, Kenneth A. Anderson and to Krzysztof Fidkowski by Senator Gerlach.

Congratulations of the Senate were extended to Stephen Todd Meyer, Edwin Neale, David Gyza and to Jared William Trush by Senator Greenleaf.

Congratulations of the Senate were extended to Lloyd Gaw, Edward Marsden and to Anne Druit by Senators Greenleaf and Salvatore.

Congratulations of the Senate were extended to Michael A. Semanchik, Linda Lollo, Garrick Dennis Over, Brandon Hoak, Norman William Prycl, Soergel Orchards of Wexford, Citizens National Bank of Wexford and to Jewart's Gymnastics of Wildwood by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Arnold D. Piatt, Mr. and Mrs. Charles F. Kreisler, Mr. and Mrs. Harry W. Logan, Mr. and Mrs. David E. Bird, Peter C. Dray, Brandon Stankiewicz, Robert Smith, Ian Zmudzin, Matthew Francis Cimino, Charles T. Dahmann and to Adam E. Pensyl by Senator Helfrick.

Congratulations of the Senate were extended to Peter J. Evans, Cloyd Price, Joel Lee Detwiler, Jason Thomas Ryan, Donald D. Delp, Gene Weidemoyer, Charlie Hahl, Harry Lane Wurster, Mary Lou Fretz Roush, Frank J. Clause, Mathieu C. Wanamaker, Rick Carroll, Reverend Clarence Didden, Gregory D. Walter, Oliver L. Wilfong, Acme Markets of Flourtown, Norriton Fire Engine Company, Schwenksville Fire Company and to Elmwood Park Zoo of Montgomery County by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Charles McGill, Wilhelmenia Fernandez, Jose Rodriguez, Anthony Zajko, Carolyn J. Weeks, Louise Manns, Barbara Tyree, Boys Choir of Harlem and to the National Association of Fashion

and Accessory Designers, Inc., of Philadelphia by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Grant J. Leighty, Mr. and Mrs. Harold C. Walter, Mr. and Mrs. Richard Morgan, Mr. and Mrs. Leo Schopp, Mr. and Mrs. Fred Gardner, Mr. and Mrs. Chester Grissinger, Mr. and Mrs. Clarence J. Yon, Jr., Mr. and Mrs. Paul F. Crawford, Diane J. Palmer, Mikeal A. Fix and to Jack Nagle by Senator Jubelirer.

Congratulations of the Senate were extended to the Pennsylvania Cable Network of Harrisburg by Senators Jubelirer and Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Francis DeFrank, Jason R. Hagyard, Reverend William M. Oesterlin, Melissa Tomotchko, Andrienne Ewing, Elizabeth Davis and to the Honorable J. Barry Stout by Senator Kasunic.

Congratulations of the Senate were extended to Rebecca Ann Bell by Senators Kasunic and Stout.

Congratulations of the Senate were extended to Lois H. Nelson, Denise L. Gause, Reverend Dr. Thomas Wilson Stearly Logan, Sr., Nestor Torres, Jamaral Johnson and to the Philadelphia and Vicinity Club of the National Association of Negro Business and Professional Women's Club, Inc., by Senator Kitchen.

Congratulations of the Senate were extended to the Jeannette Senior Community Center by Senator Kukovich.

Congratulations of the Senate were extended to Alicia Renee Crudden, Clair T. Damon, Jr., Robert J. Wargo, Gary C. Biehls, Richard J. McEwen and to the Board of Commissioners of Beaver County by Senator LaValle.

Congratulations of the Senate were extended to Mr. and Mrs. Paul E. Werts, Frederick P. Emmett, Norman J. Sondheim, Nicholas S. Joseph, Joshua Nathan Sorchik, Jeffrey Goerlitz, Dorothy Valent, Josephine Morris Miller, James Michael Crane, Mary Grianzo and to Jason E. Kisbaugh by Senator Lemmond.

Congratulations of the Senate were extended to Charles F. Wynne by Senator Lemmond and others.

Congratulations of the Senate were extended to Richard J. Hoffner-McCall, Brett Lihota, Matthew Peter Falcone and to Jung Ju by Senator Loeper.

Congratulations of the Senate were extended to the Montoursville High School Girls' Basketball Team by Senator Madigan.

Congratulations of the Senate were extended to Marion K. Oswald, Joseph Calandi, William Kerber, Anthony Perry, Jeffrey M. Williams, citizens of Old Forge Borough and to the VIOLETS Club of Coolbaugh Elementary Center of Tobyhanna by Senator Mellow.

Congratulations of the Senate were extended to Daniel J. O'Neill by Senators Mellow and Lemmond.

Congratulations of the Senate were extended to Virginia L. Fessler and to Benjamin G. Lance by Senator Mowery.

Congratulations of the Senate were extended to Ethan Gaborik, John Hreha, Floyd Nevling, Bethel Park High School Rifle Team, Bethel Park High School Girls' Swim Team and to the Bethel Park High School Boys' Swim Team by Senator Murphy.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel V. Marranca, Emily Jane Barrett, James Buxton, George Davenport, Mario Pisaneschi, Paula Mahalsky, Emil Janc, Charles W. Boris, Nicholas de la Iglesia, Patricia Kashmer and to the citizens of the Borough of Swoyersville by Senator Musto.

Congratulations of the Senate were extended to Theodore and Stella Gajewski, Robert E. Kerper, Jr., Daniel F. Tanzone, Carolyn M. Bazik, John A. Pergolin, LeRoy Gensemer, Jack Holcomb and WEEU Radio, Sisters of Christian Charity and to the Reading Public Library by Senator O'Pake.

Congratulations of the Senate were extended to Kathryn P. Snyder, Susan Noori, Amanda Imler, Trang Huynh, Adrienne Knight, Danielle Perzacki, Heidi Haines, Andrea Schreffler, Jennifer Stoner, Sarah Titler, Ariel Wolf, Ashley Shade, Sarah Hawkins, Iris Alster, Arelene W. Vovakes, Mary Phoenix, Clara Peach, Lewis L. Crippen, George Malcolm Taylor and to Gary Kay by Senator Piccola.

Congratulations of the Senate were extended to C. Frank Frame and to Daniel K. Elder by Senator Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Leroy Griffiths, Christopher Sacco, Ronald R. Rhen, Dr. Harry A. Snyder and to the Minersville Area High School senior drafting and woodshop students by Senator Rhoades.

Congratulations of the Senate were extended to Chad Allen Baker, Christopher S. Chason, Grove City Business and Professional Women, Kennedy Christian High School Boys' Basketball Team of Hermitage and to Junior Achievement of Crawford County by Senator Robbins.

Congratulations of the Senate were extended to Karen Ann Tajc by Senators Robbins and Kasunic.

Congratulations of the Senate were extended to John Ellis Maxwell, Jr., Jim Rodgers, Earle Hill, Jr., Tom Healey, William Pezza, Polish American Constitution Commemoration Committee and to the Veterans of Foreign Wars of the United States of America by Senator Salvatore.

Congratulations of the Senate were extended to Edna S. Tuttleman and to the Center for Community and Professional Services of Philadelphia by Senator Schwartz.

Congratulations of the Senate were extended to Ruth Jameson, Raymond R. Rink, Thad Turner and to Daniel Burns by Senator Slocum.

Congratulations of the Senate were extended to Mr. and Mrs. Herbert Saxman, Mr. and Mrs. Tom Mikesell, Mr. and Mrs. Edward Mears, Mr. and Mrs. Erwood Schrecengost, Christopher Anderson, John C. Hardesty, Jr., Josh Brown and to Michael Cory Koscho by Senator Stapleton.

Congratulations of the Senate were extended to the Honorable and Mrs. Thomas Terputac, Mr. and Mrs. Clarence Megyesy, Mr. and Mrs. Paul D. Myers, Mr. and Mrs. Sam Scott, Mr. and Mrs. Dale Lyle and to Amelia Rose Truntich by Senator Stout.

Congratulations of the Senate were extended to James Michael Brady, Jr., Robert C. Sullivan and to Dr. George Rae by Senator Tartaglione.

Congratulations of the Senate were extended to Willard G. Rouse, III, Kenneth Joseph Rongaus, Richard S. McIlvaine, Daniel Patrick Scott, Scott A. Shortlidge, Robert Mantrell III, Brandywine Veterans of Foreign Wars Post 845, Business Devel-

opment and Training Center of Malvern, People's Light and Theatre Company of Malvern and to the Paoli Business and Professional Association and the Corsican Delegation by Senator Thompson.

Congratulations of the Senate were extended to Mr. and Mrs. Maurice Midgley, Mr. and Mrs. Louis John D'Andrea, Sally Valone, Dustin Merryman, Aleck McLean and to the Feasterville Businessmen's Association by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Roy Kress, Louis Bucci and to Duff's Business Institute of Pittsburgh by Senator Wagner.

Congratulations of the Senate were extended to Ryan M. Miller, Scott Royel, Harold E. Bankert, Richard W. Bowers, Dolores Byron and to the citizens of the Borough of North York by Senator Waugh.

Congratulations of the Senate were extended to Roger J. Maguire, Jr., Edward Praediger, Jean Darlington and to the Valley of Lancaster, Ancient Accepted Scottish Rite of Free Masonry, by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. William A. McNaughton, Mr. and Mrs. Ralph N. Smith, Harry K. McNamee, John M. Stilley, Scott Thomas King, Jayson Eric Stahlman, Brian Ray, Aaron T. Bruckart and to Jeremiah K. Bruckart by Senator White.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel Bradley, Mr. and Mrs. Donald Blough, Mr. and Mrs. Wilfred W. Herter, Mr. and Mrs. Donald J. Eager, Mr. and Mrs. Robert Hull, Mr. and Mrs. John M. Orris, Susan Kay Whisler, Susan B. Holmes, Karen Azer, Delores A. Porcher, Sister Mary Ann Dillon and to Michael Wayne Swearman 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 Richard C. Goertz and to the family of the late Winston R. Chesney by Senator Jubelirer.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Carol Ann Kestner Lang was extended to the family by Senators Wagner and Murphy.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 317, SB 384, SB 824 and HB 102.

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 gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, I rise with a heavy heart. Yesterday an excellent educator and a very close friend, Dr. Ralph Morgan, who was the executive director for our intermediate unit, unexpectedly passed away. Later on I talked to my wife, and a young man, married with four children, ended up being killed in a blast at a local powder plant, and then to top all of that, we read the national headlines about how young lives were senselessly and meaninglessly taken away from us all. I think it leaves us all with a very heavy sense. It also helps us, I think, to realize how precious life is and how much we must do at least to appreciate what we have and to work from there.

The issue, too, I think sometimes we have a tendency to say, well, we are going to react now that it has occurred, and I want to bring to my colleagues' attention the fact that we really have moved before this. Back on March 23, we had a press conference, which my colleagues attended, in which we introduced a 10-bill package on school safety. And I think we are now at the point that we have to realize that Pennsylvania has no choice but to address the problem of violence in our schools. We have read the headlines, we have seen the statistics, and we have all worried about how this problem has escalated in recent years and how much it hits home when it is so recent.

Today we face the fact that school violence is not someone else's problem. It is not a problem for our schools alone. It is a problem for our society, for our communities, for our parents, and for the General Assembly of this Commonwealth. It is a problem that we can solve if all society contributes to a solution that is deliberative, comprehensive, and organized to effect real change. Alone, we cannot solve the problem of violence in our schools. We can provide direction to Pennsylvania's parents, teachers, schools, and communities. We must work to involve parents more closely in the schools' efforts to stop violence, to participate in the schools on a daily basis not only from the standpoint of controlling violence, but to help their child understand the importance and significance of their education.

We must direct our schools to plan for ways to prevent violence by reaching out to our communities, our law enforcement, and our parents, and we must provide resources so that schools can remove more disruptive students from our classrooms. We must ensure that teachers and school officials are trained to identify problem students and stop violence before it starts. That will not be an easy task, and there may be, in some cases, a treading upon some individual rights. But I think as a case again for the whole, for all, we may have to limit the differences that some people put forward because those differences can end up harming others. I am all for individual freedoms, I am all for freedom of expression, but when it goes beyond and harms others, there is something wrong.

This 10-bill package is a step towards renewing this dedication and acting as a society to make Pennsylvania schools safe havens for learning, and I hope that this package will begin, as

we have done before any of these incidents, to send a strong message to all Pennsylvanians. If we are to succeed in our fight against school violence, we must begin to work together today.

And I ask lastly because the bills themselves have been prepared and are ready to be introduced, we have circulated them throughout the Senate, if there are any Senators who wish to look at the bills, review them, and sign on as a cosponsor, I ask them to do it now because it is our full intent to introduce those bills and begin to move on them before we leave here in June.

Thank you, Mr. President.

BILL SIGNED

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

HB 319.

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 Monday, May 3, 1999, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 1:48 p.m., Eastern Daylight Saving Time.