

# Legislative Journal

WEDNESDAY, MAY 5, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 28

## SENATE

WEDNESDAY, May 5, 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 BENJAMIN S. POWELL, of 59th Street Baptist Church, Philadelphia, offered the following prayer:

Let us pray together.

God of our wearied years, God of our silent tears, Thou who has brought us thus far on the way. God, our Father, we come this morning to thank You for this, our country. We thank You for our Constitution and for our leaders. God, we thank You for the President of this nation. We thank You for the Governor of this Commonwealth, the State of Pennsylvania, and we pray, dear God, for every elected and appointed official who serves with him in this great State.

God, we ask that You would bless these our leaders, sincere men and women who want to do what is right, if only they can be sure of what is right. We ask that You would make things plain to them. We pray, our Father, that You would give them the wisdom and courage to uphold our Constitution, which established a republic based on Your absolute laws, not a democracy based on the whims of men's reasoning. We pray, our Father, that our leaders will understand and follow the principles of Your word. May they realize that all authority comes from You, not from the voters, and that one day they, too, will have to stand before You to give an account of the power that You have invested and given unto them. We ask that You would sanctify our love of country, that our boasting may be turned into humility, and our pride into a ministry to all men everywhere.

Lord, we pray that You would make America Thy servant, Thy chosen channel of blessing to all lands, lest we be cast out and our place be given to another. God, bless these our leaders, that when they are wrong and make mistakes, they will be willing to change, and when they are right, they will be easy to live with.

Remember our men and women who are serving in the Armed Forces across this nation and others. Bless their homes and their families, and, God, if You will do these things for us, we will be careful to give Your name all praise, honor, and

glory. For these blessings we ask in the mighty and magnificent name of Thy son, Jesus, do we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Powell, who is the guest today of Senator Williams.

The Chair also acknowledges the presence of Reverend Powell's spouse, Lois.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 4, 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.

## COMMITTEE OF CONFERENCE APPOINTED ON HB 980

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators TILGHMAN, LOEPER and STAPLETON as a Committee of Conference on the part of the Senate to confer with a similar committee of the House, already appointed, to consider the differences existing between the two houses in relation to House Bill No. 980.

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

## REPORT FROM COMMITTEE

Senator BELL, from the Committee on Consumer Protection and Professional Licensure, reported the following bill:

### SB 601 (Pr. No. 1049) (Amended)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for supply choice for customers of natural gas utilities and for restructuring of the natural gas utility industry, and making a repeal.

## REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator LOEPER submitted the Report of Committee of Conference on HB 980, which was placed on the Calendar.

### LEGISLATIVE LEAVES

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

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

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

The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, at this time I ask for legislative leaves for Senator Musto, Senator Stout, and Senator Tartaglione.

The PRESIDENT. Senator Bodack requests legislative leaves for Senator Musto, Senator Stout, and Senator Tartaglione. Without objection, those leaves will be granted.

### LEAVE OF ABSENCE

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

### SPECIAL ORDER OF BUSINESS MISS PENNSYLVANIA OF 1998-99 PRESENTED TO THE SENATE

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

Ladies and gentleman of the Senate, we have with us today Miss Pennsylvania, along with her chaperone, and the Chair asks Senator Corman to provide a gracious introduction of our accomplished guest.

Senator CORMAN. Mr. President, it is indeed an honor today for me to introduce to the Senate Miss Pennsylvania, Mayra Maria Acosta. Miss Acosta is a 1994 graduate of Lewistown Area High School and a 1998 graduate of the University of Pittsburgh with a degree in music. In her hundreds of appearances during her reign as Miss Pennsylvania, Miss Acosta has addressed audiences on basic cardiac life support education. This year she also sang the National Anthem at the opening ceremonies of the State legislature on January 5.

Mr. President, we are in a day and age when a lot of our citizens are wondering about some of our youth and some of the things they do, and I think it is important to point out what a great role model Miss Acosta is. She has had the opportunity to share the stage on numerous occasions with First Lady Michele Ridge, promoting the Safe Kids programs.

Again, Mr. President, it is a pleasure for me to introduce and recognize Miss Acosta and ask the Senate to give her due attention as she addresses this body.

The PRESIDENT. Miss Acosta, or Miss Pennsylvania, you are welcome to address the Senate.

(Applause.)

Miss ACOSTA. I have to say that I was Miss Acosta 22 years before I became Miss Pennsylvania, so either title will do just fine. Thank you very much.

It is a great pleasure to be here today to have this opportunity to talk to you a little bit about what I have been doing as Miss

Pennsylvania 1998-99. Mainly, my appearances have been about CPR education. I have been promoting CPR all across the State of Pennsylvania to young and old, in student bodies and in churches and in various places such as those, and I have to tell you that the response that I have gotten has been absolutely remarkable. I cannot tell you how many times people have come up to me and said, if only I would have known this information a year ago or 2 years ago or 5 years ago, I could have saved one of my relative's lives. And that is true. That is very true.

There was this one lady who had dinner with her mother on a Sunday evening and the mother had been experiencing chest pains for the past 2 hours, not knowing that she was experiencing a heart attack. Shortly after, she died. The lady had no idea that her mother was dying, and those are some of the things that I have been teaching Pennsylvanians.

Also, the risk factors and the symptoms of a heart attack, so that you know. There are 1,000 needless deaths in this country each day due to lack of CPR education, and that is 365,000 deaths a year, more than the deaths due to AIDS and cancer combined. And if they are needless, obviously they could have been saved. And these include young children, old, in the middle, anywhere, you never know when you are going to need it. There are 60 million Americans today who have significant coronary heart disease and they do not even know that they are having a heart attack or a stroke. This is why I have chosen CPR as my platform. This is why I have chosen to stick with it for the rest of my life, because there are still people out there who do not even know what it is.

If you look at the person to the right or to the left of you, would you feel more comfortable if they knew CPR? What if you had a heart attack or what if you choked on a piece of chewing gum or a lozenge? Would you know what to do if that situation happened? It is food for thought, and these are the reasons why I feel that this education should be required for high school graduates everywhere. And I hope that eventually in the forthcoming years that will be one of our laws in the State of Pennsylvania and all across the nation.

In Investor's Business Daily, I do not know if you have ever read it, there is a list of ten secrets to success, and one of them is to never stop learning. So I hope that in these last few minutes I have taught you a little bit about what Miss Pennsylvania is, who she is, what she stands for, and that CPR education is important.

Thank you very much for having me today, and thank you very much for your attention.

The PRESIDENT. Thank you, Miss Pennsylvania.

(Applause.)

The PRESIDENT. Thank you, Miss Pennsylvania. I think I speak for each and every Member of the Senate that we appreciate your efforts and advocacy.

### GUESTS OF SENATOR DAVID J. BRIGHTBILL PRESENTED TO THE SENATE

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

Senator BRIGHTBILL. Mr. President, I am pleased today to have as our guests four guest Pages. They are all Boy Scouts and members of Boy Scout Troop 440 in Lebanon. They are Joshua Boyer, Keith Haller, David Fischer, and Seth Glass. Joshua and Keith are seventh graders at Annville-Cleona School. David is a sixth grader at Annville-Cleona, and Seth is a seventh grade homeschooler.

In the gallery are Jerry and Jane Boyer. Jerry serves as the Scoutmaster for this troop, and I ask that we give them our traditional warm welcome.

The PRESIDENT. Senator Brightbill, we certainly will. Would our special guests, members of Scout Troop 440 and their leaders, please stand so the Senate may welcome you.

(Applause.)

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

#### REPORT ADOPTED

**HB 980 (Pr. No. 1703)** -- The Senate proceeded to consideration of the bill entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1999, to June 30, 2000, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1999; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Records Check Fund to the Executive Department; and to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 1999, to June 30, 2000; and to provide appropriations from the Motor License Fund for the fiscal year July 1, 1999, to June 30, 2000, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1999, to June 30, 2000, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1999; and to provide for the additional appropriation of Federal and State funds for the Executive Department of the Commonwealth for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

Senator LOEPER. Mr. President, I move that the Senate adopt the Report of the Committee of Conference on House Bill No. 980.

On the question,

Will the Senate agree to the motion?

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

Senator LOEPER. Mr. President, the Conference Report on House Bill No. 980 contains the general appropriations bill for fiscal year 1999-2000, and I believe that this document makes

major investments in jobs, new technology, farmland preservation, and education. I think this budget represents a good bottom line for Pennsylvania's taxpayers, for those who demand fiscal responsibility and for those who are working to build stronger communities and to ensure that our Commonwealth is competitive for jobs and investment.

I believe we will see that the report is really built around responsible and sensible spending and tax reduction proposals, that this document reflects, Mr. President, the Governor and the General Assembly prudently refraining from spending all available moneys, and that double-digit increases laid across the budget would spell deficits ahead, as the experience of the late 1980s painfully demonstrated to us. I think, Mr. President, the surplus this year allows Pennsylvania to do three productive things: it enables us to further cut taxes, invest in programs that have worked for Pennsylvania, as well as set aside money to prevent the need for tax increases or program reductions during much more difficult economic times.

Mr. President, this is the sort of budget that continues to give confidence to job providers, thus deserving to be described as a pro-community and pro-worker budget. Taxes, Mr. President, are being cut for the sixth consecutive year, proof positive that the fiscal strategy and conservative budget approach employed in recent years certainly benefits the State as well as its taxpayers. I think, Mr. President, it is well to note that this budget contains spending priorities that reflect legislative efforts and square with the wishes of constituents, jobs, education, and the environment.

I believe, Mr. President, that one of the most notable additions comes with the funding for farmland preservation, which is effectively, in this document, doubled over what has been available in recent years. The new money which will cut into the backlog of acreage awaiting preservation is going to be significant. One calculation has it that 100,000 acres could be saved from development over the next several years and preserved.

Mr. President, this document also continues an emphasis and commitment of money to economic development programs that certainly have worked for Pennsylvania: the Pennsylvania Industrial Development Authority, enterprise zones, infrastructure development, all programs that have been extremely significant in Pennsylvania's economic recovery and job creation over the last several years.

Mr. President, this budget also reflects priorities in education spending, particularly a substantial increase in special education funding that is directed to the most persistent complaint that we hear from school officials. Mr. President, this budget also preserves significant State investments such as library funding, child protection, technology development, and deployment. It contains funding for the popular and highly regarded training program known as New Choices and New Directions, which had suffered budget cuts on the Federal level, but it is a program that is working in Pennsylvania and Pennsylvania has committed additional dollars to it to ensure that this program will continue to work.

Mr. President, this budget also contains extra money for the Attorney General and is devoted toward two major public con-

cerns - our local anti-drug task forces and the reviews of hospital conversions and mergers. It also reflects for higher education, Mr. President, an increase to our Pennsylvania Higher Education Assistance Agency, plus devotes money to work-study programs. It also reflects increases to our four State-relateds as well as increases to our State system universities. And I think one issue that constantly comes before us in budget deliberations is sewer grants to local municipalities and State Police services, which once again are preserved in this document.

Mr. President, I believe that overall this represents a very balanced and sensible approach to meeting the challenges that lie ahead in the 1999-2000 fiscal year and puts Pennsylvania not only on the right course but keeps it on the right course to keep growing and growing successfully. Mr. President, I would ask for an affirmative vote on the Committee of Conference Report on House Bill No. 980.

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

Senator KITCHEN. Mr. President, I do not think anyone in this Chamber can deny that good things are happening in Pennsylvania. In fact, there are good things happening in my district, Mr. President. But we have to remember the people of Pennsylvania, the working poor people of Pennsylvania whose copay now equals 30 percent of their pay, 35 percent, and in some cases 40 percent of their pay.

I think, Mr. President, with such a large surplus, this is not a balanced way to treat the people of Pennsylvania. In fact, it is sending a message that we are anti-people and, quite frankly, I am surprised at the Governor. This man walked my district in the rain and looked at people who were homeless. This is the same person who helped to build houses for homeless people in my district. And I look at this budget and see this copay that was not even considered to be lowered, despite the pleas of many people. It is quite disappointing here in Pennsylvania and, quite frankly, I think people will not like it once it is known. And why should we be known as anti-people? We must remember the poor people of Pennsylvania, all around this State.

Mr. President, I ask for a reconsideration on the copay item in the budget for child care. I think it is just that important for the children of Pennsylvania. We cannot keep denying children all around this State what they need as we continue to flourish. Sure, I believe in economic development. That is why I voted for the stadiums. But, Mr. President, I believe in the people in this State, too. I believe in the young people and I believe in the women. Please, please hear my plea today and consider the copay for day care.

Thank you.

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

Senator STAPLETON. Mr. President, just a few remarks. As the Minority Member of the conference committee and realizing that my side of the aisle had very limited input in this report, and certainly many of my priorities are quite different than the Majority's, I signed the report, as well as Representative DeWeese and the four Republicans.

I would say that 80 to 90 percent of the Conference Committee Report is very favorable to me and to the people I represent. I certainly do not agree with all of it. There are areas that I am well pleased with, particularly additional funding when it comes to higher education and basic education. I would have liked to have seen much more, but that did not happen. I am pleased that Act 339, allowing the municipalities to operate the local sewage systems, is back in this budget. It means a great deal to many of us in rural Pennsylvania. If we do not get water and sewage, we are not going to bring homes out to the rural areas, or industries either.

One point of this piece of legislation that I am really deeply concerned about is the fact that the Governor did not bring up the subject of real estate taxes for property owners when it comes to the budget of education. The homestead exemption, as far as I am concerned, was a failure, and we need to do something about it, and I hope that the Governor and all of us in the Senate will do something about it later on.

I, too, am concerned and would have liked to have seen more for prescription drug programs to be expanded, as well as day care and child care. And I do want to thank the administration for the farmland preservation, the \$43-some million increase. It means so much to rural Pennsylvania, and certainly many of us appreciate the fact that finally agriculture is being recognized.

So, Mr. President, we will move on with this vote. I intend to vote for it, and I am only hopeful that the Department of Revenue will continue to grow beyond what the Department of Revenue's expectations are.

Thank you very much, Mr. President.

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

Senator SCHWARTZ. Mr. President, I also want to add my comments on this budget. Before the conference committee met I made some comments and I want to point out some of the failure, the principal failure in this budget for Pennsylvanians, and it is in the issue that I spend a great deal of time on in this legislature, and that is education and improving the quality of education across Pennsylvania.

This budget has some good things in it, as certainly has been pointed out, but it really does fall short in creating a vision for improving the quality of education and certainly in helping to give school districts across the Commonwealth of Pennsylvania the tools and the incentive to do so. And it really could have created a situation where the State was a partner in working with local districts in a much stronger way to improve the quality of education, and by that I mean to improve student achievement in every district across this State. It is something we have talked about. We have made some good progress in terms of setting standards, but, Mr. President, we know there is too great a disparity. It really does depend on where you live in Pennsylvania as to whether you have access to quality education. There is nothing in this budget that speaks to that disparity. There is nothing in this budget that speaks to that inequity, and it should.

It should, Mr. President, because there are ample resources in this Commonwealth to do so. If it were a time of incredibly lean years for the Commonwealth, if we were struggling to meet our basic needs, and I would contend that education is one of those basic needs, then maybe I would have to say, all right, we have done all that we could, but it is not that kind of moment. We are looking at ending the year with maybe a billion dollars in surplus, and again, it is perfectly responsible for us to save some money. There is no question about that. But it also is an opportunity missed to not use some of those resources to make the kinds of investments that will matter to our children's futures and to this Commonwealth's future.

Very specifically, I am disappointed in the money that was added for special education. While I am pleased that some money was added, it is less than a third of the amount of money needed to address the needs, as defined by Republicans in both the House and the Senate. And I am sorry to see that it could not have gone a bit further in helping to assure that children with special needs in our school system actually could get some more help from the State and not rely so much on local resources.

I am pleased to see that there is money in the budget for safe schools, \$22 million, up from \$1 million last year. That has yet to be defined by us, Mr. President. We will need authorizing legislation, and I look forward to building on the work the Committee on Education did yesterday in reporting out 13 bills to help reduce the chance of the kind of tragedy we saw in Colorado. We should move forward on that. I hope we do so in a bipartisan way and in a significant way by moving quickly on that legislation, and again appropriately so on that.

There have been rumors that the administration is looking for a match on those funds, that they would not make these grants available to schools for improvements around security and safety and training and counseling by teachers and school personnel. Mr. President, we do not find that in the budget. I am assuming that is not the case, and I hope it is not, because our failure to give more money to local school districts should not be compounded by saying, here is some money for some of the improvements you need in order to make sure that you do not have incidents of violence, but we are going to make you match it 50-50. I hope that is not the case. And as I said, we have not been able to see any language in that, although it has been reported in the press.

We see nothing in this budget, Mr. President, for early childhood initiatives, some of which I have been talking about for a number of years that have proven to help improve student achievement in later years. We see no incentives, nothing directed towards smaller class size, Mr. President, although we do see the authorization of drawing down Federal dollars for additional teaching staffs in our schools, and I am very pleased to see that there.

Mr. President, the greatest failure in this budget, of course, is the failure to provide any kind of significant increase in basic education. We are seeing approximately an average of a 3-percent increase. It is barely holding the line for many of our school districts. Mr. President, we could do much better. We should have. We could have seen \$100 million more in basic education. We could have seen \$200 million and still have been

investing in our Rainy Day Fund, putting away in savings in our Rainy Day Fund. Mr. President, we have failed our schools and our children by not being a greater partner in providing a significant increase, if not for all our school districts, but certainly for those that are expressing to us time and again in rural parts of the State and in our urban areas saying that they do not have the local resources to do it alone. They need us and we have the resources to help them and we should have.

Let me finally say, Mr. President, that what we do see in this budget is \$65 million for vouchers for private and parochial schools. That would require authorizing legislation. I am hopeful that we will not see approval of that legislation. I think it looks likely at this point that we will not gain approval. There is not broad support either in the public or in the legislature in the House or the Senate to approve \$65 million of public taxpayer dollars going to vouchers for private and parochial schools for a few students. I do not think that will happen. I hope it does not. If it does, a full expectation is that it will wind up in the courts, so we are looking at a minimum of \$65 million tucked away in this budget for a program that is unproven at best and unlikely to be useful as well.

So what we really should do, Mr. President, is look at that \$65 million as an opportunity to use for our academically-distressed schools to help make sure that student achievement is brought up to invest in their success, not just the school's success but the children's success. Yesterday we had students from Philadelphia saying, we are important and we need you. This budget turns a blind eye to those students, and that is unfair and unreasonable, and it is unjustified given the resources before us.

So while there is much to be pleased about in this budget, and while it certainly is likely to pass, it is a disappointment to the children and working families of this Commonwealth, all 1.7 million children in our public schools who are relying on us to help them prepare for the future. And this budget is lackluster in that regard and a failure of vision, and we could do better and we should have, Mr. President. I express my disappointment in the administration and my colleagues in not pushing harder and not being able to see that happen as well.

Thank you, very much.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Musto has returned, and his legislative leave is cancelled.

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

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

Senator BOSCOLA. Mr. President, I am going to be voting for this budget today. There are a lot of good things in this budget, millions of dollars for children's health, libraries, farmland preservation, PHEAA grants, safe schools, and I really like that we restored the sewage treatment grants to this budget.

But I do have one concern that I would like to share with this administration. Over the last several years we have seen billions

of dollars in business tax cuts. In this current bill, low-income individuals will not have to pay any more State income tax. What I want to know is what are we doing for the middle class? It seems like our middle-class taxpayers are the payers who are constantly being squeezed. When we have a \$544 million surplus as of April 30, and by the end of the year we might realize a \$900 million Rainy Day Fund, I think it is about time that we start sending this money back to the middle-class taxpayers because, Mr. President, it is not our money. It is their money. It is their hard-earned dollars, and they are getting squeezed.

I do not know how you accomplish this, possibly maybe addressing property tax reform again and figuring out how we can reduce property taxes, or maybe think about a one-time rebate in the personal income tax. It is about time to give this money back to the people, the hardworking middle-class people who consistently over time have received nothing in these budgets. I think it is a responsible thing to do, and I just would encourage the administration to look forward to solving that problem of how we are going to help our middle-class individuals with their tax burden.

Thank you.

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

Senator GREENLEAF. Mr. President, I rise and plan to vote for this budget and I am pleased with many parts of it, and there is one in particular that I would like to bring to the Senate's attention. A number of years ago I was addressed by a number of elderly parents who had children who were mentally retarded, and they had kept these children in their home and cared for them without State help or assistance or money for decades. They are now reaching the age of where they are in retirement or well past retirement age, in their 70s or 80s, and they are faced with children who are now in their 50s or older and they are concerned about their permanent placement. A number of years ago we had very little to address that permanent placement situation and the waiting list that they faced after years of taking care of their children.

This budget includes an additional \$5 million in State money to reduce that waiting list to provide for permanent placement of those children. It will also pull down an additional \$5 million in Federal money once we appropriate it and add to the \$30 million of both State and Federal money that has been added to this budget over the last several years to address this problem, so I thank the Senate for hopefully we will be passing this budget and this money will be included and distributed throughout the State to provide for a permanent placement of these children.

Thank you.

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

Senator LaVALLE. Mr. President, very briefly, I will be voting against this budget, not because of what it does, because it does do many good things, as has been pointed out. However, there are a lot more good things that could be done, particularly with the kind of surplus we have, and they are not considered in this budget. I guess that is a kind of reverse approach. We have many people who will be voting for the budget because they

view this as a budget with a whole lot of good things. I am taking the opposite view in that there are too many more good things that could be in this budget and they are not in here, and that is why I am voting "no," Mr. President.

Thank you very much.

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

Senator WAGNER. Mr. President, I rise to offer my comments on the budget, a very important document that comes in front of us once a year, and I thought it was important just to shed my thoughts on this budget, of which I think there are many good things in the budget. Unfortunately, you get this and literally you have hours, maybe 2 hours, to analyze the document that is in front of you, so sometimes you miss some of the good or some of the bad that might be part of that document.

As part of that document the one item that we do not talk enough about is really the amount of money that we have. In other words, what the State taxpayers have paid this Commonwealth which gives us the permission to utilize their dollars in a budget document. So therefore, if the amount of money is significantly greater than the amount of money we are spending, that really should be an important part of the discussion of the budget. I hope we get to that, and I can see it is not going to be today but maybe in the next week or 2 when we talk about the tax packages and the tax bills in front of us.

I think this bill, though, has a lot of positive things in it, and I am pleased to see that they have been incorporated in this document, some of which my colleagues have talked about already. The Majority Leader has talked about many of the benefits that are in this budget that I think all of us on both sides of the aisle are happy to see: more money for higher education, more money for education in general, more money for special education. We still feel, though, very strongly that there is not a sufficient volume of money for special education, and I think that needs to be noted, especially with the huge surplus that this Commonwealth has today.

There is more money in there or money put back for mass transit. We are all pleased to see that. The CHIP program, the Children's Health Insurance Program, has an additional \$20 million, something very important for the children of Pennsylvania. Allegheny County has some things in there that I am pleased to see: the supercomputing center associated with Carnegie-Mellon University, which does great things in terms of economic development, the Connelly Trade Center, which benefits all of southwestern Pennsylvania, and I could go on and on.

One other item that was not in the Governor's original budget is the sewage treatment grants of 2 percent; something very important. But, Mr. President, I think the General Assembly needs to go one step further. We really have not mandated sufficiently with these sewage treatment facilities that are in the public domain generally as authorities to make sure that these dollars are being utilized for the purposes that will benefit the public, especially in the immediate area where they operate. And one which I brought up in the hearings of the Committee on Appropriations and I am still disappointed with and I feel compelled to mention today is the stench, the smell that comes

from these sewage treatment plants, that we should be mandating that in terms of giving them money, they should be addressing that problem. Right in this general area I can identify two or three that have a significant problem of stench that harms the environment and is very displeasing to the people who live and work in those areas, and I think legislatively we should follow up on some of these things where we are giving State taxpayer dollars to these agencies and making sure that they are utilizing those dollars appropriately.

And, Mr. President, finally, I would just like to add that the Commonwealth of Pennsylvania has more money in our coffers today than ever in the history of this State. Ever. More surplus than ever in the history of Pennsylvania. And I still believe that we are sitting on too much of the taxpayer dollars. Now, that is partially addressed in the budget as to how the dollars are utilized, but more appropriately, Mr. President, those dollars, of which it is projected now that the Commonwealth will have as much as a \$750 million surplus at the end of this fiscal year, we are not spending the greater portion of that surplus and it should be going back in the hands of the taxpayers.

There was a report issued just yesterday or the day before, and I forget the agency that issued it, that still in the business tax area, Pennsylvania is higher than the average across this country as a State, and we are still not back prior to 1991 in terms of getting back to where we were for business taxes. Our corporate net income tax is still significantly higher than the average across America. The capital stock and franchise tax, even with the improvements as suggested, still is not competitive in comparison to other States. And certainly as we have been advocates on this side of the aisle, we think the average person through the PIT, whether it be a one-term give-back, should benefit in terms of tax reform also, if not through the PIT, through some innovative program for property tax reductions. And it is my understanding that there will be something in terms of the property tax and rent rebate in front of us in a week or 2, and that is good because that will benefit senior citizens and it will benefit low-income senior citizens.

But the bottom line still is that the average Pennsylvanian wants to see their property tax, especially as it relates to their school tax, reduced. And if we are ever going to reduce it and the State is going to play a part in that effort, what better time than now when we have the largest surplus in the history of this Commonwealth? So I think, Mr. President, in summary, this is a good document, a good spending document, but I still think there is work left to be done, and the work left to be done relates to the tax side of the issue, and those issues will be in front of us in a week or 2.

Thank you, Mr. President.

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

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

YEA-47

Armstrong	Greenleaf	Mowery	Stout
Belan	Hart	Murphy	Tartaglione

Bell	Helfrick	Musto	Thompson
Bodack	Holl	O'Pake	Tilghman
Boscola	Hughes	Piccola	Tomlinson
Brightbill	Jubelirer	Punt	Wagner
Conti	Kasunic	Rhoades	Waugh
Corman	Kukovich	Robbins	Wenger
Costa	Lemmond	Salvatore	White
Dent	Loeper	Schwartz	Williams
Earll	Madigan	Slocum	Wozniak
Gerlach	Mellow	Stapleton	

NAY-2

Kitchen LaValle

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

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

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

The SECRETARY. Consent has been given for the Committee on Local Government to meet during today's Session to consider Senate Bills No. 787, 852, and House Bill No. 1335.

**CALENDAR**

**FINAL PASSAGE CALENDAR**

**NONPREFERRED APPROPRIATION BILL  
ON FINAL PASSAGE**

**SB 731 (Pr. No. 794)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth;....," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

On the question,  
Shall the bill pass finally?

**MOTION TO PASS OVER**

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

Senator BODACK. Mr. President, I request at this time that Senate Bill No. 731 go over in its order.

The PRESIDENT. The bill will go over in its order.

Senator LOEPER. May we be at ease for a moment, Mr. President?

The PRESIDENT. At the request of Senator Loeper, the Senate will be at ease.

(The Senate was at ease.)

**MOTION WITHDRAWN**

Senator BODACK. Mr. President, I would like to withdraw that motion to go over Senate Bill No. 731.

The PRESIDENT. The motion is withdrawn.

And the question recurring,  
Shall the bill pass finally?

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

YEA-49

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
Dent	Lemmond	Schwartz	Wozniak
Earll	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	Stout	

NAY-0

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

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

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILL  
OVER IN ORDER

SB 732 -- Without objection, the bill was passed over in its order at the request of Senator BODACK.

BILLS OVER IN ORDER

HB 10, HB 58, HB 102, SB 360, SB 456, SB 612 and SB 798 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 824 (Pr. No. 901) -- The Senate proceeded to consideration of the bill, entitled:

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.

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
Dent	Lemmond	Schwartz	Wozniak
Earll	Loeper	Slocum	
Gerlach	Madigan	Stapleton	
Greenleaf	Mellow	Stout	

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 124 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS REREFERRED

SB 332 (Pr. No. 1034) -- 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 for good Samaritan immunity for school employees; further providing for authority of teachers, vice principals and principals over pupils; providing for school policies for drug or alcohol violations, for conflict resolution training and for the requirements for governing adjudicated delinquents; further providing for the suspension and expulsion of pupils, for exceptional children, their education and training, for reporting of incidents of school violence and for transfer of records; providing for school violence reporting requirements for school employees, for school safety committees and for notification to parents and guardians of victims of school violence; and further defining "school."

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

HB 456 (Pr. No. 1534) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Safe and Secure Schools Program to assist school districts and area vocational-technical schools in the purchase of equipment, provision of special services and in the development of programs to enhance school safety, and providing for duties of the Department of Education.

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

BILLS OVER IN ORDER

SB 648, SB 669, SB 717, SB 767 and SB 812 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.



## BILL ON SECOND CONSIDERATION

**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.

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

## BILL OVER IN ORDER

**SB 846** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION  
AND REREFERRED

**SB 925 (Pr. No. 989)** -- 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 for the definition of "code of student conduct"; and requiring the adoption of a code of student conduct.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 926 (Pr. No. 990)** -- 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, requiring the adoption of parent involvement policies by school entities.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 927 (Pr. No. 991)** -- 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, requiring continuing professional development programs to include prevention of school violence.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 928 (Pr. No. 992)** -- 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, requiring reports of incidents of school violence to local law enforcement agencies.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 929 (Pr. No. 993)** -- 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, requiring the establishment, implementation and administration of school safety committees and school safety plans.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 931 (Pr. No. 995)** -- 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 grants by the Office of Safe Schools.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 932 (Pr. No. 1033)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Department of Education for alternative education programs and safe school programs.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 933 (Pr. No. 997)** -- 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 defining "applicant" for purposes of grants for alternative education; and further providing for alternative education grants.

Considered the second time and agreed to,  
Ordered, To be printed for third consideration.  
Upon motion of Senator LOEPER, and agreed to, the bill just considered was rereferred to the Committee on Appropriations.

**SB 934 (Pr. No. 998)** -- 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 for terroristic threats in schools.

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

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

**SB 943 (Pr. No. 1028)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring the Department of Education to provide technical assistance and to report to the General Assembly and school districts on alternative education programs.

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

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

**SB 945 (Pr. No. 1029)** -- 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 for instruction relating to nonviolent behavior and conflict resolution.

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

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

**SB 948 (Pr. No. 1030)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Violence Prevention Grant Program; providing for the duties of the Department of Education, for confidentiality of student records and for audits of program; and making an appropriation.

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

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

### UNFINISHED BUSINESS REPORTS FROM COMMITTEE

Senator RHOADES, from the Committee on Education, reported the following bills:

**SB 8 (Pr. No. 871)**

An Act amending the act of April 3, 1992 (P.L.28, No.11), entitled Tuition Account Program and College Savings Bond Act, further providing for the tuition account program; and establishing scholarship programs.

**SB 900 (Pr. No. 1007)**

An Act providing for scholarships for persons entering into the field of science and technology.

**SB 936 (Pr. No. 1050) (Amended)**

An Act amending the act of June 14, 1961 (P.L.324, No.188), entitled The Library Code, further providing for State-aid to local libraries and library systems.

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Sarah M. Darcus by Senator Armstrong.

Congratulations of the Senate were extended to Grace Twaddell and to James F. Riley by Senator Bell.

Congratulations of the Senate were extended to Elizabeth U. Roseman by Senator Boscola.

Congratulations of the Senate were extended to John L. Worrilow and to Florence Henise by Senator Brightbill.

Congratulations of the Senate were extended to Dr. William Vantine by Senator Conti.

Congratulations of the Senate were extended to Morris Gorfinkel and to Carrie Bogart by Senator Dent.

Congratulations of the Senate were extended to the Chronic Fatigue Syndrome Association of the Lehigh Valley by Senators Dent and Boscola.

Congratulations of the Senate were extended to Natasha Goffredo by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Elvin E. Sherman by Senator Helfrick.

Congratulations of the Senate were extended to Sterling R. McCray II and to Jean Seegers by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald L. Brown and to Melissa Ramsey by Senator Jubelirer.

Congratulations of the Senate were extended to Eric Robert Suder by Senator Kasunic.

Congratulations of the Senate were extended to the Honorable J. Barry Stout by Senator Kasunic and others.

Congratulations of the Senate were extended to Major General Leslie M. Burger by Senator Mellow.

Congratulations of the Senate were extended to James E. Zimmerman and to Margrieta C. Hewey by Senator Mowery.

Congratulations of the Senate were extended to Paul Robert Weisenford, Mildred Ruth Koch Shreiner and to Patricia Wilsbach Krow by Senator Piccola.

Congratulations of the Senate were extended to Jeannie M. Draper by Senator Punt.

Congratulations of the Senate were extended to John W. Thompson, Sr., by Senator Punt and others.

Congratulations of the Senate were extended to Pop Warner Little Scholars, Inc., of Langhorne by Senator Salvatore.

Congratulations of the Senate were extended to Robyn Mary Palmer by Senator Schwartz.

Congratulations of the Senate were extended to Virginia F. Lynn, David S. Dennison and to Eston L. Merritts by Senator Slocum.

Congratulations of the Senate were extended to Dr. Daniel Lee, Theodore H. Butcher, Sr., Eleanor Loper and to William A. Lambert, Sr., by Senator Thompson.

Congratulations of the Senate were extended to Joseph J. Schleigh by Senator Tomlinson.

Congratulations of the Senate were extended to the YMCA of Bucks County by Senators Tomlinson and Conti.

Congratulations of the Senate were extended to Joseph A. Urish, Walter B. Harriett, Jr., John H. Crede, Jr., Louis A. Duke III, Herbert F. Henry, Jr., Rodney L. Fowler, Dennis H. Trzeciak, Elk Township supervisors and to the Greenwood Village Volunteer Fire Department of Butler by Senator White.

Congratulations of the Senate were extended to Allen African Methodist Episcopal Church of Philadelphia by Senator Williams.

### 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 Rosina Bonawits by Senator Boscola.

Condolences of the Senate were extended to the family of the late Jean Wallace Weaver by Senator Greenleaf.

Condolences of the Senate were extended to the family of the late Michael F. Kossick, Jr., by Senator Hart.

Condolences of the Senate were extended to the family of the late Eric N. Casiano by Senator Kitchen.

### SENATE RESOLUTION ADOPTED

Senators KITCHEN, MELLOW, WAGNER, ROBBINS, HUGHES and SCHWARTZ, by unanimous consent, offered **Senate Resolution No. 74**, entitled:

A Resolution honoring the members of the Pennsylvania Air National Guard's 171st Air Refueling Wing called to service in Kosovo, Yugoslavia.

On the question,

Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, I offer this resolution on behalf of the Pennsylvania Air National Guard.

Mr. President, for the last 40 days we have watched the conflict in Kosovo with great concern. Our prayers have been with all those who suffer and those who fight on their behalf. With the activation of 470 members of the 171st Air Refueling Wing of the Pennsylvania Air National Guard, the conflict now has cut a little closer to the heart of the Commonwealth.

Mr. President, the 171st has a distinguished 5-decade history of service, including more than 160,000 accident-free hours. We are proud to recognize them as the very best Pennsylvania has to offer to our nation and the world. I ask my fellow Members of the Senate to join me in honoring the courageous men and

women of the 171st and all our sons and daughters in uniform and thanking them for their commitment and in praying for the success of their mission and for their safe return.

Thank you.

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

Senator ROBBINS. Mr. President, today as chairman of the Senate Committee on Military and Veterans Affairs, I would like to join Senator Kitchen in this resolution. I had the privilege yesterday to accompany Adjutant General Lynch and my counterpart in the House, Representative Paul Semmel, to Pittsburgh to oversee the activation of the 171st Air Refueling Wing.

That unit, Mr. President, was activated to serve as part of the NATO alliance in Kosovo as a part of Operation Allied Force. I share with you, Mr. President, and all the Members of the Senate, the outstanding enthusiasm and professionalism of the men and women of the 171st. In the National Guard we are not really talking just about young 18- and 20-year-olds who could be going to war. Our National Guard is a professional unit that is comprised of people with 5-, 10-, 15-, 20-, and 30-year careers in the National Guard, people who are truly changing their lifestyle on a moment's notice, many who, in fact, are losing thousands of dollars of income because of their commitment to the National Guard. I was extremely impressed and pleased.

Mr. President, the Pennsylvania National Guard is the pride of our Commonwealth's military strength. Each and every Member of our Guard typifies all that is good and great about our citizen soldiers, who at a moment's notice may be called to leave their families behind to support the American cause. It is never easy to see the best of the best, our Guardsmen and Guardswomen, head overseas into an area of conflict. As a Vietnam veteran, and those of us in this Chamber who have served our country, we are especially aware of the magnitude of the service these people are offering to our country.

Mr. President, Governor Ridge was notified last Tuesday in a phone call from U.S. Defense Secretary Cohen that the nearly 500-member 171st would be activated for the ongoing air operation over Kosovo. This unit was activated by the President under his selected reserve call-up authority. While there are many different opinions over what America's role should be in this situation, now is the time to rally around our Guardsmen and Guardswomen who have been called to serve. They need and deserve our complete support. The men and women of the 171st are among the best in the nation at what they do. Their patriotism and professionalism are a source of pride for all of us in Pennsylvania.

As a result of this activation, Mr. President, the military action now has an unmistakable Pennsylvania presence. In addition to the 500 Guardsmen and Guardswomen of the 171st who have been activated, some 20 volunteers from this unit have already been deployed in support of the Allied Forces. Another 100 volunteers from the Pennsylvania Air National Guard's 193rd Special Operations Wing based in Middletown are also operating in the Kosovo region. This activation is a sobering reminder of the role the Pennsylvania National Guard plays in times of crisis abroad as well as here at home, as you well know.

Every Pennsylvanian can and should be thankful for the caliber of individuals in every unit of the Guard across the Commonwealth. We wish them and their families well and pray for their safe return.

Thank you, Mr. President.

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

Senator WAGNER. Mr. President, as a member of the Committee on Military and Veterans Affairs, I also join my colleagues, Senator Kitchen and Senator Robbins, in this resolution and to offer some comments in regard to the 171st Air Refueling Wing.

Mr. President, this Air Refueling Wing is located in my senatorial district, the 42nd Senatorial District. It is actually part of Pittsburgh International Airport. If anyone has ever flown in and out of Pittsburgh International Airport, you will actually see this refueling wing sitting off to the side. There is the 171st Refueling Wing and then there is the C-130 Unit, another military operation associated with Pittsburgh International Airport.

Mr. President, I know many of these people who are part of the 171st who are being sent to the other side of the world to Kosovo as a refueling operation. Mr. President, they are fathers, they are mothers, they are sons and daughters, they are our neighbors, they are people who are truly putting their lives on the line for a military operation to help another country, a country that hopefully can get its act together and hopefully end this conflict sometime soon.

The 171st, Mr. President, is a huge unit consisting of almost 1,500 members, of which one-third of those members will be sent into the European Theater. This unit has been in existence for over 50 years. It is a vital part of southwestern Pennsylvania, and certainly Pennsylvania. Mr. President, this is a very real occurrence that tells us that our people are part of this conflict. Certainly those who are part of the military from Pennsylvania who are already there have been serving for quite some time, but this is actually a military unit that is based in Pennsylvania that will be part of this military action.

Mr. President, I join simply to say that these people who are serving their country are providing distinguished service. We are very proud of them, and we certainly hope and pray that they all come back safely.

Thank you, Mr. President.

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

Senator MURPHY. Mr. President, I just wanted to comment briefly and also extend our best wishes and let the people from the 171st know that our thoughts and our prayers are with them and their families. These are some of the finest men and women in the military doing some incredible things over there, and again our thoughts and prayers are with them for their safety and their safe return home.

Thank you, Mr. President.

The PRESIDENT. I am sure the Guard appreciates those supportive and appropriately patriotic remarks.

And the question recurring,

Will the Senate adopt the resolution?

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

## HOUSE MESSAGE

### HOUSE BILL FOR CONCURRENCE

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

May 5, 1999

HB 1335 — Committee on Local Government.

### BILLS ON FIRST CONSIDERATION

Senator HOLL. 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 8, SB 601, SB 900 and SB 936.

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

### BILLS REREFERRED

Upon motion of Senator LOEPER, and agreed to, the following bills were rereferred to the Committee on Appropriations:

SB 8, SB 601, SB 900 and SB 936.

### REPORTS FROM COMMITTEE

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

SB 787 (Pr. No. 850)

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, further providing for auditor's compensation.

SB 852 (Pr. No. 954)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for written or telephonic price quotations from contractors.

HB 1335 (Pr. No. 1582)

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, prohibiting the location of methadone treatment facilities in certain locations.

### BILLS ON FIRST CONSIDERATION

Senator LOEPER. 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 787, SB 852 and HB 1335.**

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

### RECESS

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

Senator LOEPER. Mr. President, I request a recess of the Senate to the call of the President pro tempore.

The PRESIDENT. Senator Loeper moves to recess and return at the call of the President pro tempore.

The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, just as a point of clarification, there will be no more votes, is that correct?

Senator LOEPER. That is correct, Mr. President. There will be no more votes today. I believe we may have a bill to sign yet from the House, and then we will adjourn today's Session and reconvene on Monday, May 10, at our original convening time of 2 p.m.

Senator HUGHES. Thank you very much, Mr. President.

The PRESIDENT. This Senate stands in recess to the call of the President pro tempore.

### AFTER RECESS

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

### HOUSE MESSAGE

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House adopted Report of Committee of Conference on **HB 980**.

### BILL SIGNED

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

**HB 980.**

### ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Monday, May 10, 1999, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 3:30 p.m., Eastern Daylight Saving Time.