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SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 41

SENATE

TUESDAY, October 5, 1999

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend JAY HURLEY, of Mount Moriah Baptist Church, Smithfield, offered the following prayer:

Let us pray.

Our Father and Lord of all, You alone are worthy of worship, honor, and praise. Without You, we can do nothing. With You, we can do all things.

We thank You for Your great compassion, faithfulness, and love. We thank You for blessing this great State with beauty, resources, and its precious people.

Lead these men and women here to do Your will. Give them wisdom in their words and actions. Give them discernment to distinguish good from evil, right from wrong, helpful from harmful. Lead them in unity and in strength of character and of mind. The problems that loom before this governing body are at times overwhelming - the needs of the elderly, health care, and environmental concerns - but we know that no problem, no matter how great, is beyond Your reach, and that in looking to You there is always a solution.

Allow this governing body to be visionaries concerning our children, providing vast opportunities for them to develop and grow into responsible, productive, and caring citizens.

God, You are the rock of ages. You are the solid foundation for our State, our country, and our world. May we build our hopes and dreams on You. Our future is in Your hands because You hold the future. Teach us to focus on Your righteousness, Your goodness, Your truth, Your love. Allow the Members of this Senate to work with integrity and honor so that future generations will benefit from the noble decisions made here today in the name of our Savior and Lord who gives hope to the world. Amen.

The PRESIDENT. The Chair thanks Reverend Hurley, who is the guest today of Senator Kasunic.

LEGISLATIVE LEAVE

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 Helfrick.

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

LEAVES OF ABSENCE

Senator MELLOW asked and obtained leaves of absence for Senator BODACK and Senator TARTAGLIONE, for today's Session, for personal reasons.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of October 4, 1999.

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

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

On the question,

Will the Senate agree to the motion?

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

YEA-47

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

NAY-0

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

The PRESIDENT. The Journal is approved.

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 Brightbill, and a temporary Capitol leave on behalf of Senator Tilghman, who has been called from the floor.

The PRESIDENT. Senator Loeper requests a temporary Capitol leave for Senator Tilghman, and a legislative leave for Senator Brightbill. Without objection, those leaves are granted.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR CHARLES W. DENT  
PRESENTED TO THE SENATE**

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

Senator DENT. Mr. President, it is indeed my honor and pleasure to introduce my friends, Bob and Virginia Williamson, who are seated in the gallery. I would like the Senate to give them its usual warm welcome.

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

(Applause.)

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

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

Senator LEMMOND. Mr. President, I am delighted to present 10 men who are the past elected heads of Irem Temple of Wilkes-Barre, which is one of seven Shrine Temples in the Commonwealth of Pennsylvania. Zembo is here, Lulu, the others are known to many. The Shrine is based on Arabic orders and symbols. The Nobles are called just that. They wear fezzes. We call our elected heads Potentates. We wear colorful costumes, love parades, and also run the world's greatest philanthropy, the Shriner's Hospitals for Crippled Children. We have 19 of them. The large flagship is in Philadelphia, which is a monumental, wonderfully operated hospital. We have three burn institutes, and we utilize and support the Boston Burns Institute, which is renowned throughout the world.

Let me tell you that Past Potentates think very much like former Senators. They think that no one can ever do it as well as they did it, and who are these young people who are usurping their positions? There are 10 of them. Let me mention that our leader today is Gordon Dussinger, who is here with his wife, Marilyn. The senior member is George Davis, whose wife, Shirley, used to work here, and I mention the third is myself, because I was one of these in 1979, and the group is joined by Barbara Lemmond, who is celebrating her 42nd anniversary today and wanted to come to see if I was really where I said I was going to be. I present the Past Potentates and their ladies from Irem Temple in Wilkes-Barre: Donald Britt and his wife, Joan; Walter Mohr and his wife, Mary; Hugh Williams and his wife, Arlene; Larry Pace; Kenneth Burkel and his wife, Laura; Frederick Dietrich and his wife, Betty; Gerald Calderone and his wife, Nancy; Dr. Richard Post; Sandra Knouse; Melba Dickson; and Pat Luff.

The PRESIDENT. Would our illustrious and charity-minded guests please rise so the Senate may welcome you.

(Applause.)

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

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

Senator BOSCOLA. Mr. President, visiting the Capitol today are Sue and Laura Meixell, who are in the gallery. They have been shadowing me today. Laura is a student at Northeast Middle School and is interested in the political process, maybe a future politician. I would just like the Senate to give them its usual warm welcome.

The PRESIDENT. Would Sue and Laura please stand so the Senate may welcome you.

(Applause.)

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

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

Senator THOMPSON. Mr. President, it is my honor to introduce Cassandra Nelson and Lauren Predmore, who are seniors at Avon Grove High School and who are student Pages for today.

Lauren is a senior, as I said, and is a member of the National Honor Society and the yearbook staff. She is currently acting as student director of the senior class play. In addition, she is an assistant in the school library and a member of the West Grove Fire Company.

Cassandra Nelson, who lives in West Grove, is a student council representative, junior representative on the school board, a writer for the yearbook and co-editor of the academic section, member of the Historical Society, and a member of the youth advisory council for Congressman Joseph Pitts.

Would the Senate please give them its warm welcome.

The PRESIDENT. Would Lauren and Cassandra please rise so the Senate may welcome you, and thank you in advance for your service today.

(Applause.)

**HOUSE MESSAGES  
HOUSE BILLS FOR CONCURRENCE**

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

October 5, 1999

**HB 761, 764 and 766 -- Committee on Local Government.**

**HOUSE CONCURS IN SENATE  
CONCURRENT RESOLUTION**

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

**Recess adjournment.****BILLS INTRODUCED AND REFERRED**

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

October 5, 1999

Senator KASUNIC presented to the Chair **SB 1130**, entitled: An Act designating a bridge in Fayette County as the Point Marion Veterans' Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, October 5, 1999.

Senators MADIGAN, WENGER, BRIGHTBILL, HELFRICK, STOUT, STAPLETON, HART, MUSTO, O'PAKE, LEMMOND, SLOCUM, COSTA, GERLACH, WOZNIAK, BOSCOLA, WAUGH, PUNT and KASUNIC presented to the Chair **SB 1131**, entitled:

An Act amending the act of December 18, 1987 (P.L.412, No.86), entitled Pennsylvania Fair Dealership Law, further providing for definition of "equipment," for exceptions to dealer agreements and credits to dealer's accounts; and providing for succession to franchise ownership and for manufacturer's right of first refusal.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, October 5, 1999.

**LEGISLATIVE LEAVE CANCELED**

The PRESIDENT. Senator Tilghman has returned, and his temporary Capitol leave is canceled.

**REPORTS FROM COMMITTEES**

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

**SB 842 (Pr. No. 945)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the simulation of legal process and related acts; prohibiting the use of unofficial license plates; and imposing penalties.

**SB 1047 (Pr. No. 1278)**

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

**HB 643 (Pr. No. 2402) (Amended)**

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

Senator HOLL, from the Committee on Banking and Insurance, reported the following bill:

**SB 1003 (Pr. No. 1201)**

An Act amending the act of May 17, 1921 (P.L.789, No.285), entitled, as amended, The Insurance Department Act of 1921, providing capital requirements for health organizations.

Senator PUNT, from the Committee on Community and Economic Development, reported the following bill:

**SB 976 (Pr. No. 1132)**

An Act requiring the Department of Community and Economic Development to require a certification that a developer has no delinquent municipal taxes within certain taxing districts or outstanding utility bills as part of a grant or loan from the department.

**RECESS**

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

Senator LOEPER. Mr. President, at this time I ask for a recess of the Senate for the purpose of a Republican caucus to take place immediately in the first floor caucus room, with an expectation of returning to the floor at approximately 2:45.

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

Senator MELLOW. Mr. President, I ask that the Democratic Members report to our caucus room immediately.

The PRESIDENT. For purposes of Democratic and Republican caucuses to be held immediately, with the intention of returning in 1 hour, at about 2:45, the Senate stands in recess.

**AFTER RECESS**

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

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

The SECRETARY. Consent has been given for the Committee on Local Government to meet during today's Session in the Rules room to consider House Bill No. 148.

**CALENDAR****THIRD CONSIDERATION CALENDAR****PREFERRED APPROPRIATION BILL AMENDED**

**SB 1050 (Pr. No. 1282)** — The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Department of Military and Veterans Affairs to issue a grant for the construction of the National World War II Memorial in the District of Columbia.

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER offered the following amendment No. A3451:

Amend Title, page 1, lines 1 and 2, by striking out "Department of Military and Veterans Affairs to issue" and inserting: American Battle Monuments Commission as

Amend Title, page 1, line 2, by inserting after "for": use in  
Amend Sec. 1, page 2, lines 2 and 3, by striking out "Department of Military and Veterans Affairs for the purpose of issuing a grant to the"

Amend Sec. 1, page 2, line 4, by striking out "for" and inserting: as a grant for use in

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

On the question,  
Will the Senate agree to the bill on third consideration, as amended?

Senator BOSCOLA offered the following amendment No. A3293:

Amend Title, page 1, line 1, by striking out "an appropriation" and inserting: appropriations

Amend Title, page 1, line 3, by removing the period after "Columbia" and inserting: and to the Department of Agriculture for drought emergency grants.

Amend Preamble, page 1, lines 8 through 13, by striking out "90)." in line 8, all of lines 9 through 13 and inserting:

90). There were 1,321,000 residents of the Commonwealth of Pennsylvania who served in the armed forces of the United States during World War II. It is appropriate for the Commonwealth to contribute to the construction of the National World War II Memorial.

(2) Due to the magnitude and severity of the Drought of 1999, it is necessary to provide farmers with grants to aid their recovery from crop, livestock and other losses.

Amend Sec. 1, page 1, line 16, by striking out "Appropriation" and inserting: Appropriations

Amend Sec. 1, page 2, line 1, by inserting before "The": (a)

Amend Sec. 1, page 2, by inserting between lines 5 and 6:

(b) The sum of \$39,000,000 is hereby appropriated from the General Fund to the Department of Agriculture for the purpose of issuing direct grants, in counties where a drought and water shortage emergency has been declared, and in amounts not to exceed \$16,000 per farm, to farmers who have sustained damage or loss to their land, livestock or crops as a result of the Drought of 1999.

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

Senator LOEPER. Mr. President, may the Senate be at ease while we review a copy of the amendment?

The PRESIDENT. The Senate will be at ease.  
(The Senate was at ease.)

#### CONSTITUTIONAL POINT OF ORDER

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

Senator LOEPER. Mr. President, I raise a constitutional point of order.

The PRESIDENT. The gentleman will state his constitutional point of order.

Senator LOEPER. Mr. President, with the adoption of the first amendment, which makes this bill a nonpreferred appropriation bill, it is my contention that the amendment now before us would violate Article III, Section 11, of the Constitution dealing with appropriation bills.

On the question,  
Shall the constitutional point of order be sustained?

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

Senator BOSCOLA. Mr. President, for the farmers in my district, they do not understand this. They do not know what a preferred appropriation bill or a nonpreferred appropriation bill is. All I am trying to do is give aid with direct grants to the farmers. Can you please explain to me why I cannot do that today?

The PRESIDENT. First we will be at ease and the Chair will complete his remarks in a moment.

(The Senate was at ease.)

The PRESIDENT. The Chair would again point out to Senator Boscola that the gentleman from Delaware has raised a point of order concerning the attempt at amendment, and it is his opinion, and soon will be decided by the full body, that it is unconstitutional, and as such, given this situation, the Senator from Northampton will be expected to confine her remarks to the technical issue and not that which she raised a moment ago. Anything else?

Senator BOSCOLA. Mr. President, I am just simply asking, may I interrogate Senator Loeper?

The PRESIDENT. The gentlewoman can propose that.

Senator Loeper, will you stand for interrogation?

The gentleman indicates that he will. Senator Boscola, the floor is yours.

Senator BOSCOLA. Okay, Mr. President, explain a preferred appropriation bill and a nonpreferred appropriation bill not only to me but to my farming community.

Senator LOEPER. Mr. President, regardless what the issue may be or what the appropriation may be for, we are constrained by the Constitution for a nonpreferred appropriation only to appropriate for that specific purpose. And in this case with the amendment that I just offered on the floor which was adopted, the appropriation will be for the Department of Military and Veterans Affairs for the construction of a National World War II Memorial monument, and that is the only thing that the funds can be appropriated for.

Senator BOSCOLA. Mr. President, so we are not going to help our farmers today? Is that what you are saying to me?

Senator LOEPER. Mr. President, was that in the form of interrogation?

Senator BOSCOLA. I am done, Mr. President. I think I know the answer. Thank you.

The PRESIDENT. So we will put this constitutional point of order to the full Senate. The Chair would remind each Member that those voting "aye" will vote to sustain the point of order raised by Senator Loeper, thereby declaring the attempt and the amendment itself unconstitutional. Those voting "nay" will vote that the point of order is not well-taken and thereby declare that the amendment is constitutional.

#### 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 and Senator O'Pake.

The PRESIDENT. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, I request a temporary Capitol leave on behalf of Senator Tilghman, who has been called to his office.

The PRESIDENT. Without objection, that leave is granted.

And the question recurring,  
Shall the constitutional point of order be sustained?

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

Senator MELLOW. Mr. President, would you once again indicate to the Members, restate the position that if they vote "aye" they vote to affirm Senator Loeper, and if they vote "nay" they vote that the amendment is constitutional and that Senator Boscola could offer her amendment.

The PRESIDENT. That is good. That works.

And the question recurring,  
Shall the constitutional point of order be sustained?

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

YEA-30

Armstrong	Greenleaf	Mowery	Thompson
Bell	Hart	Murphy	Tilghman
Brightbill	Helfrick	Piccola	Tomlinson
Conti	Holl	Punt	Waugh
Corman	Jubelirer	Rhoades	Wenger
Dent	Lemmond	Robbins	White
Earl	Loeper	Salvatore	
Gerlach	Madigan	Slocum	

NAY-18

Belan	Kasunic	Musto	Wagner
Boscola	Kitchen	O'Pake	Williams
Costa	Kukovich	Schwartz	Wozniak
Fumo	LaValle	Stapleton	
Hughes	Mellow	Stout	

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

The PRESIDENT. The amendment is unconstitutional and out of order, and the bill will go over in its order, as amended.

BILL OVER IN ORDER

HB 58 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 647 (Pr. No. 1378) -- 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.

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 York, Senator Waugh.

Senator WAUGH. Mr. President, one of the most fundamental responsibilities of government is to protect the health, safety, and well-being of the public. The enactment of the bill before us today, Senate Bill No. 647, better known as the Uniform Construction Act, would, in my opinion, be a clear illustration of government living up to its fundamental responsibilities.

First, I would like to offer a little background for the Members here regarding the bill. Pennsylvania is one of only 6 States without a statewide building code in place, and nearly half of Pennsylvania's 2,600-plus municipalities do not have building codes, actually about 45 percent. And in those municipalities that have building codes, the standards for construction from municipality to municipality often vary quite a bit.

Senate Bill No. 647 is a public safety, consumer protection proposal, certainly not a bill that steamrolled through here on the fast track. It is actually an accumulation of over 7 years of work by literally thousands of individuals and stakeholder groups, including Members of the General Assembly in both Chambers, township officials, city officials, borough officials, individuals from the construction trades industry, the fire services of Pennsylvania, groups that represent individuals with disabilities, like the Eastern Paralyzed Veterans, and life and independence group for today, including code officials too numerous to count, and constituents who have participated in the process all along the way. Each and every one of these people have had an effect on the ultimate shape of the building code proposal contained in Senate Bill No. 647. I would just like to take a moment to thank each and every one of them for the years of hard work and effort that went into what we have before us today.

In substance, the legislation would apply to the construction and significant alteration of most buildings in the Commonwealth. Structures such as detached garages and agricultural buildings would in fact be exempt. The statewide code would be largely based on the nationally recognized standards of the Building Officials and Code Administrators guide, better known as BOCA. For me, the bill balances the benefits of uniformity with the flexibility necessary to always address local concerns, and across our State there are always going to be local concerns and needs. It allows municipalities to exceed BOCA standards but through a process, a process of review based on evidence of climatic, geologic, topographic, or public health and safety circumstances. And also and importantly, it now permanently grandfathers most local codes which meet or exceed BOCA standards.

Under the bill, code administrators would, for the first time, and this is a point I think that often gets lost in this discussion of building technology and building requirements, have to become trained and certified. They would also be required to attend continuing education in years to come. And an important point, accessibility requirements for those citizens of ours with disabilities would be strengthened.

I think it is significant to point out that this bill is not a mandate on local government. Municipalities could choose to hire a code administrator if they wish, but those municipalities that do not wish to enforce a code would not be forced to hire staff or code administrators. In those municipalities, residential homebuyers would be required to hire private code administrators or third party administrators, and, furthermore, public buildings would be inspected in those areas by State inspectors.

Here are, in my words, a few examples of how a statewide building code based on the BOCA standard would improve public safety and protect consumers. First and foremost, I happen to believe that we have not won the battle on smoke detectors yet, and we must continue. Under BOCA, smoke detectors would be installed in every new or renovated home, fire-rated drywall would be used to create fire walls and fire breaks in multifamily dwellings, stairs and the incline, or rise, as it is known, of stairways would be designed with enough length to promote safe and easy access to those stairways, and things as elementary in some people's minds as the number of nails and the number of two-by-fours in walls would be outlined in clear order to prevent shoddy construction of homes and public buildings.

A statewide building code, as envisioned in Senate Bill No. 647, is not an intrusive, big government measure. It is, as I started out saying, government living up to its basic and fundamental responsibility of protecting the health, safety, and welfare of the public. Under this proposal, we fulfill the requirements in a very basic yet I believe uniform way. I urge all Members today to support better, safer construction in Pennsylvania. I urge your support for Senate Bill No. 647.

Thank you very much, Mr. President.

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

Senator SLOCUM. Mr. President, I ask the sponsor to stand for brief interrogation for point of clarification.

The PRESIDENT. Senator Waugh, will you stand for interrogation?

Senator WAUGH. Yes, Mr. President.

The PRESIDENT. Senator Slocum, the floor is yours.

Senator SLOCUM. Mr. President, in the particular bill, on page 22, lines 10 through 16, it says, "In order to administer and enforce the provisions of this act, municipalities shall enact an ordinance...." Is it correct that we are mandating that each municipality enforce an ordinance, each municipality adopt an ordinance?

Senator WAUGH. Mr. President, I just want to make sure I understand. The question is, would they be required to adopt an ordinance?

Senator SLOCUM. Mr. President, that is correct.

Senator WAUGH. Mr. President, each municipality would be required by ordinance to adopt the BOCA code.

Senator SLOCUM. Mr. President, then the next section, which calls for administration and enforcement, it says the act may be administered and enforced by municipalities and goes on to describe five different methods that they might use to administer and enforce that. Are we saying that we are not requiring the municipalities to administer or enforce the provisions of this building code?

Senator WAUGH. Mr. President, to a certain extent we are requiring that municipalities administer, and I would like to explain exactly what I mean by that. But before I do, I would answer the second part of the question that deals with enforcement. There is not a requirement that municipalities enforce. They may if they so choose. However, there is also built into this proposal a provision that would allow the homeowner or the property owner, through their contractor, to engage a third party inspection agency in order to perform the basic inspections that are outlined in the bill.

Now, back to the question of administration. The bill does require one I think very simple step on behalf of municipalities, and that is that once a building has been inspected and receives what is known as a final occupancy permit, that would be the permit that is issued at the end of the construction when the building is ready to be inhabited, the owner would be required to present to the municipality a copy of that final occupancy certificate, and the municipality would then be asked to keep that on file in the municipal office.

I think it is important here to point out that while in fact only about 55 percent of our municipalities today have a building code, in fact well over 90 percent of our municipalities today do require a building permit, the difference being in those areas that do not have codes and really do not do anything other than collect the permit fee, there is in at least better than 90 percent of the cases today out in our municipalities an administrative function that happens today through the permit process and there is a file created. So it is my feeling that in asking them to put another slip of paper into that permit file is not really that burdensome, but that would be the only requirement placed on the municipalities.

Senator SLOCUM. Mr. President, I ask the sponsor if the intention of this legislation is to not open up an additional liability on those municipalities which may choose not to enforce the building code?

Senator WAUGH. Mr. President, the gentleman is asking me if the intent is not to do that?

Senator SLOCUM. Right, Mr. President.

Senator WAUGH. Mr. President, it is not my intent to expose municipalities to additional liability through this bill.

Senator SLOCUM. Mr. President, thank you. That is my interrogation. I would like to speak on the bill, Mr. President.

The PRESIDENT. The floor is yours.

Senator SLOCUM. Mr. President, notwithstanding the efforts put forth by the Senator who sponsored this and notwithstanding his opinion that this particular legislation does not create a liability upon those municipalities which choose not to enforce the provisions of the building code which we are man-

dating that they enforce, I believe that we are opening up a can of worms for those communities that do not desire to have a building code or enforce a building code at this point.

I am not opposed to building codes. In fact, in the small community I came from, I encouraged the council and we adopted the BOCA code about 8 years ago because it was right for that community. But the reason about 40 percent of the 2,600 municipalities in Pennsylvania do not have a building code is because they do not want it and their residents do not desire it. I believe it is a local decision.

Mr. President, we read the line that starts out in Senate Bill No. 647 and it says we establish "a Uniform Construction Code; imposing powers and duties on municipalities...." I am not sure that is a major reason that I got elected and came down here to serve the Senate, that we impose upon those municipalities. It sounds to me like we are forcing them to do something that in many cases they may not want to do, and I would urge a "no" vote on the bill.

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

Senator WAGNER. Mr. President, I rise in support of Senate Bill No. 647, which is a very, very important piece of legislation. We know the title of the bill, it creates a Uniform Construction Code for Pennsylvania. It does other things by training code administrators, and Senator Waugh has indicated a whole litany of items. But truly, Mr. President, what this legislation is all about is bringing Pennsylvania into the 21st century, and I hope that this bill would have overwhelming support in the Senate, as it has had in the past in the House of Representatives. And my compliments go out to Senator Waugh. Having been a House Member, I know he championed this legislation in the House and has done so here in the Senate because of the reasons he has stated and the very important fact, Mr. President, that the lives and the safety of Pennsylvanians, 12-plus million, are at stake with this kind of legislation, especially those who are less capable of protecting themselves, primarily the children and the elderly in Pennsylvania.

And, Mr. President, we do not need to look very far back, as a matter of fact you can see it every other week in newspapers throughout Pennsylvania, the tragedy that occurs due to the lack of building code legislation in this Commonwealth. I have in front of me a few copies of newspaper articles. Back on March 25, 1998, we all recall the cabin fire in Miles Township, Centre County, Pennsylvania, where 11 young people died in a fire in a cabin that did not have smoke detectors. If this legislation were in effect when that cabin was built, it would have had smoke detectors, and maybe those people would not have died. What this legislation does is mandate those kinds of building code requirements.

November 13, 1998, in a house fire in Lawrenceville, a neighborhood near the city of Pittsburgh, a 7-year-old boy died and an 8-year-old boy was seriously burned. On December 1, 1998, in Mercer County, five children died in a fire. I could go on and on. One more recently, Tuesday, September 14, 1999, two died in a fire in Fayette County. We see it on the evening news and in the daily newspapers where people in Pennsylvania are dying in buildings that either have not been built appropri-

ately, according to good building code legislation, good standards of construction, or they do not have basic safety criteria as part of those buildings.

What this legislation does, Mr. President, is it sets a standard for the future in Pennsylvania, and if we are a State that is progressive, we should adopt this legislation. As the Senator indicated, we are one of six in America, and I think that figure may even be one of three States in America that does not have basic building code legislation to protect the lives, to protect the safety of our residents. It also sends a very positive message, Mr. President, to the construction industry. Why does it do that? Because it creates some uniformity in the construction of buildings so that when construction companies are building buildings in Pennsylvania they know that they must meet certain minimum standards, all kinds of standards, not just fire safety standards, such as having a footer, having the right kind of building blocks, having GFI - ground fault circuit interrupters - in your bathroom under the Electric Code to make sure that someone is not electrocuted with a hair dryer near the sink or falling into the bathtub. There are all kinds of basic safety codes that are absolutely necessary to protect people.

This is a beginning in Pennsylvania. And hopefully, Mr. President, what will happen as a result of this is local municipalities will choose to go further and hopefully the 50 percent of communities in Pennsylvania that presently do not have building codes will say maybe, just maybe, if we are requiring a new residential building to have smoke detectors, maybe it is time that we begin to have smoke detectors in existing structures so we do not read about the kinds of tragedies that I have just stated.

So, Mr. President, this is a very solid piece of legislation. It is my hope that it will pass overwhelmingly in the Senate and go back to the House and do the same.

Thank you.

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

Senator BELL. Mr. President, this bill does not contain everything I wanted in it, but it is a strong bill. It is a strong beginning. This bill will go to the House of Representatives, and I know there will be changes made. Then it will come back to the Committee on Rules and Executive Nominations where we will concur or nonconcur in the House amendments. If we nonconcur in the House amendments, this bill will go to a committee of conference of the House and Senate. This is the beginning of a good, solid road to making Pennsylvania a better place in which to live, work, and raise our families. I will vote for this bill.

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

Senator THOMPSON. Mr. President, I, too, rise in support of this bill, and I want to commend Senator Waugh for his determination, doggedness, and willingness to work with a number of disparate interests to come up with the bill that is before us today. He has adequately outlined the safety and life safety protection codes that are aspects of this bill that are so important, but I want to emphasize there is another part of this bill, and that is the consumer protection aspect. The largest single

investment that most of us make is when we buy our home, and we want to be assured that when people put down that money and sign a 30-year mortgage, or however many years it takes to pay it off, that they are going to have a house that will endure and last through storms because of good construction. This bill protects that investment, and I am very happy to be able to support it.

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-40

Armstrong	Fumo	Madigan	Schwartz
Belan	Gerlach	Mellow	Stapleton
Bell	Hart	Mowery	Stout
Boscola	Helfrick	Murphy	Thompson
Brightbill	Kasunic	Musto	Tomlinson
Conti	Kitchen	O'Pake	Wagner
Corman	Kukovich	Piccola	Waugh
Costa	LaValle	Punt	Wenger
Dent	Lemmond	Rhoades	Williams
Earl	Loeper	Salvatore	Wozniak

NAY-8

Greenleaf	Hughes	Robbins	Tilghman
Holl	Jubelirer	Slocum	White

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 844 (Pr. No. 947)** -- The Senate proceeded to consideration of the bill, entitled:

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

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-48

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

Fumo	Lemmond	Salvatore	Williams
Gerlach	Loeper	Schwartz	Wozniak

NAY-0

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

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

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

**NONPREFERRED APPROPRIATION BILL ON  
THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1050 (Pr. No. 1385)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the American Battle Monuments Commission as a grant for use in the construction of the National World War II Memorial in the District of Columbia.

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 gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I am really happy today because I am very supportive of our veteran community and I support this bill because it is a well-deserved \$2 million for the National World War II Memorial.

I am sincerely very happy, but I am disappointed, Mr. President, because we failed, we failed to help; we had the opportunity and we failed to help another well-deserving group who needed funding today, and that is our Pennsylvania farmer. Now, Mr. President, I just want to stand here on record today as opposed to this procedure because we had a preferred appropriation bill turn into a nonpreferred appropriation bill. It was a parliamentary maneuver just meant to kill an amendment that would aid our farmers. Well, it is a really sad day in Harrisburg today, Mr. President, because they might not, our farmers, understand the political maneuvering here. They might not understand germaneness and constitutionality and this motion and that motion, but guess what they do understand? Today we are walking out of here, we are not coming back for 2 weeks and we did nothing, nothing to help them, nothing to help our farmers. It is a sad day, Mr. President.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT. Senator Tilghman and Senator Conti have returned, and their temporary Capitol leaves are cancelled.

And the question recurring,  
Shall the bill pass finally?

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

Senator WAGNER. Mr. President, I rise in support of Senate Bill No. 1050 in whatever form it is in, because I think it is a very important piece of legislation for Pennsylvania to be a contributor to the construction of a World War II memorial, a National World War II Memorial, in Washington, D.C., to commemorate, to compliment all Americans who served in World War II and the commitment made by this country.

Mr. President, first let me thank the Members of the Senate who served in World War II - Senator Tilghman, Senator Salvatore, Senator Bell, Senator Helfrick, and Senator Stapleton - for the commitment that they made to their country during a very difficult time in our history. And, Mr. President, let me also mention and thank veterans in my senatorial district, Mr. Russell Richert from Sewickley, and Mr. Gus Sullivan from the city of Pittsburgh and Brookline, and a number of veterans organizations that have brought this issue to the forefront - the Veterans of Foreign Wars, meaning the VFW, the Disabled American Veterans, the American Legion, the Jewish War Veterans, the Italian War Veterans, the Catholic War Veterans. A number of veteran organizations have come forth and said that Pennsylvania should be a contributor to this effort.

Mr. President, what is so important about this legislation in its total is that there is no memorial, even though we all think there is, in Washington, D.C., for World War II veterans. There is one for the Vietnam veterans, there is one for the Korean veterans, there is one for the World War I veterans. There is none for the most significant war in the history of the world that really saved democracy and freedom in this country, so that is what this is all about. It is 54 years after the war and it is about time, really, that Pennsylvania and the country is understanding that there should be something that commemorates that effort.

Mr. President, during World War II, ordinary Americans became extraordinary heroes on the battlefield and the home front, and it is time to say thank you, not just to the veterans but to the families and the efforts made in this country to that war effort. And that is what the Pennsylvania contribution to this effort actually is.

Mr. President, I had a piece of legislation, Senate Bill No. 1016, that allocated \$1.3 million to this effort. I am pleased and delighted that Senator Tilghman has introduced a bill that is \$2 million, and in doing so, Pennsylvania becomes the largest contributor of any State in the country to this effort to raise \$100 million to build this memorial in Washington, D.C., and in doing so I think Pennsylvania really sends a very positive message about how we feel about our veterans, our 1.3 million veterans who served during the Second World War, and coincidentally today we have 1.3 million veterans in the Commonwealth of Pennsylvania, give or take a few people. We are one of 22 States that have so far contributed to this effort, but as I indicated, we are the largest contributor to that effort and possibly will be in total when the fundraising for it is completed.

And, Mr. President, because our contribution is so significant, I really feel that we should invite the chairman of this fundraising effort, Senator Dole, and perhaps the public spokesperson, actor Tom Hanks, to Pennsylvania sometime soon for a

presentation of this check when it finally passes the House of Representatives.

I would make one last suggestion, Mr. President, that this legislation move quickly, not just through the Senate but through the House of Representatives for the Governor's signature, because it would be a real tribute to our veterans if this legislation could be signed, sealed, and delivered with a check by Veterans Day, which is simply 5 weeks away.

Thank you, Mr. President.

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

Senator BELL. Mr. President, first I want to thank Senator Tilghman for producing this bill. Second, I want to thank this Senate for passing it. I came to the Senate in 1960, and I would say in 8 out of 10 seats in this very hall were veterans of World War II. Maybe not that many, but many. They are not here today. And on their behalf, I thank the Senate.

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, the distinguished veteran that he is, Senator Tilghman.

Senator TILGHMAN. Mr. President, I want to thank all of the Members of the Senate for their support on this legislation and pay my particular thanks to Jack Wagner, who has been so active in this over the last several months, and I thank him very much.

Several months ago, I do not exactly have the date before me, I received a call from Washington relative to this piece of legislation and Pennsylvania's help for the World War II memorial. As Senator Wagner said, it is the only war of any kind that does not have a memorial in Washington, and I was really amazed to hear that. I really had not thought of it. I was further told that the hopes of doing something quickly was necessary, and this may have been said, I do not know as I was called out of the Chamber for a minute, that the World War II veterans are dying at a rate of 1,000 per day. That is a pretty speedy rate, and I hope we can slow that down in this Chamber a little bit. Nevertheless, I thank you all, and I think it is a good thing for Pennsylvania.

You might be interested to know that I have heard that the proposed memorial in Washington, and as you know it must be approved by the Washington Arts Council, or whoever it is that approves statues in Washington, is very controversial. Some people say it is too gothic, other people say it is too ornate. I do not know anything about that, and I have not seen any plans for it, but I thank all of you for your contribution to this effort and I think it is a good thing for the veterans in Pennsylvania.

Thank you very much, Mr. President.

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

Senator ROBBINS. Mr. President, I would just ask the Members of the Chamber to look at the top row of Senate Bill No. 1050, and I think all of us who are not of that generation owe the five Members in the Senate today who served in that war and contributed so much to our country and to this body, we owe them a lot and I think we need to give them a standing round of applause.

The PRESIDENT. In light of Senator Robbins' remarks, I think it is only appropriate that we recognize their effort.  
(Applause.)

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

**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 RESUMED**

**BILL OVER IN ORDER**

**SB 958** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**SECOND CONSIDERATION CALENDAR**

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

**SB 300** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL OVER IN ORDER**

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

**BILL ON SECOND CONSIDERATION**

**HB 285 (Pr. No. 282)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 12, 1984 (P.L.964, No.188), referred to as the Philadelphia Quarter Sessions Clerk Fee Law, increasing fees; and providing for additional fees.

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

**BILL OVER IN ORDER**

**SB 317** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 380 (Pr. No. 1339)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the registration of sexual offenders.

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.

**BILL OVER IN ORDER**

**SB 630** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILL REREFERRED**

**SB 1038 (Pr. No. 1264)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Fair Credit Extension Uniformity Act; and providing for debt collection trade practices and penalties.

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

**COMMUNICATION FROM THE GOVERNOR  
TAKEN FROM THE TABLE**

Senator SALVATORE called from the table a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

**MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER**

October 4, 1999

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 19, 1999 for the appointment of Harold C. Snowdon, Jr., 420 Wyoming Avenue, Kingston 18704, Luzerne County, Twentieth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination on the premises.

THOMAS J. RIDGE  
Governor

**NOMINATION RETURNED TO THE GOVERNOR**

Senator SALVATORE. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

**EXECUTIVE NOMINATIONS****EXECUTIVE SESSION**

Motion was made by Senator SALVATORE,  
That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

**NOMINATIONS TAKEN FROM TABLE**

Senator SALVATORE. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE PENNSYLVANIA COUNCIL  
ON AGING**

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Marilyn R. Kanenson, 3809 Sarayo Circle, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve for a term of three years and until her successor is appointed and qualified, vice Anne S. Thacik, Curwensville, resigned.

THOMAS J. RIDGE  
Governor

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

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nancy Stein, 109 Jem Drive, Ambler 19002, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2001 and until her successor is appointed and qualified, vice James E. Scanlon, Pittsburgh, resigned.

THOMAS J. RIDGE  
Governor

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

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, H. John Drayer, R.D. #1, Box 384, Clarion 16214, Clarion County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James T. Davenport, 104 Sunset Drive, Dunmore 18512, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice John T. Malloy, Clarks Summit, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Gustin, 294 Elmhurst Boulevard, Scranton 18505, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice John J. Jennings, Scranton, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Warren E. Watkins, 301 Stone Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Joseph M. Cognetti, Clarks Summit, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE CONSERVATION  
COMMISSION

June 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ross W. Orner, Jr., R.D. #1, Box 88, Rockton 15856, Clearfield County, Twenty-fifth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve for a term of four years and until his successor has been appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE CONSTABLES' EDUCATION  
AND TRAINING BOARD

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cloyd Brenneman, 4180 Thomason Road, Sharpsville 16150, Mercer County, Fiftieth Senatorial District, for appointment as a member of the Constables' Education and Training Board, to serve until September 29, 2001 and until his successor is appointed and qualified, vice Russell Sheaffer, Harrisburg, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD  
OF DENTISTRY

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Veasey B. Cullen, D.M.D., 311 Brookwood Drive, York 17403, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Austin Morris, 1277 Dogwood Lane, Huntingdon Valley 19006, Montgomery County, Fifth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Beverly R. Brookes, Chadds Ford, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF DIRECTORS OF  
THE PENNSYLVANIA ECONOMIC DEVELOPMENT  
FINANCING AUTHORITY

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kenneth E. Davis, 527 Conshohocken State Road, Gladwyne 19035, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified, vice John M. Stilley, Butler, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
HAMBURG CENTER

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Norman E. Drescher, 140 Valley Road, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
HAMBURG CENTER

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rachel E. Rentschler, 21 A South 3rd Street, Hamburg 19526, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

August 24, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wayne S. Fleming, 91 Sylvan Ridge Road, Oberlin 17113, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Carl Nelson, York, resigned.

THOMAS J. RIDGE  
Governor

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

August 24, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rosalie A. Sarfert, 236 Laurel Drive, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Barbara G. Edmiston, Camp Hill, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA HISTORICAL  
AND MUSEUM COMMISSION**

September 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. William A. Cornell, Sr., 65 Glen Road, Wormleysburg 17043, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2003 and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA HISTORICAL  
AND MUSEUM COMMISSION**

September 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Janet S. Klein, 1475 Hampton Road, Rydal 19046, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2003 and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE  
HORSE RACING COMMISSION**

July 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard D. Abbott, P.O. Box 226, Friendship Church Road, Cochranville 19330, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS**

June 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Geralyn M. Barbato (Public Member), 1013 Nicholas Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph E. Hennessey, 1105 Archers Glen, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

August 24, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert O. Agbede, 639 Alpha Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve for a term of five years and until his successor is appointed and qualified, pursuant to Act 58, approved June 27, 1996.

THOMAS J. RIDGE  
Governor

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

August 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maritza Robert, 2314 Chestnut Street, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2003 and until her successor is appointed and qualified, vice Luis F. Columba, Allentown, resigned.

THOMAS J. RIDGE  
Governor

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

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark Dambly, 354 Darlington Road, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Ross P. Skillern, Ardmore, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF NURSING**

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William C. Baer (Public Member), 3600 Raymond Street, Laureldale 19605, Berks County, Eleventh Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Gabriel, Grantham, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William B. McIlwaine, Ed.D. (Public Member), 53 Brenner Street, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John F. Callahan, D.O., 328 Kennedy Boulevard, Pittston 18640, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Silvia M. Ferretti, D.O., Erie, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF PHYSICAL THERAPY**

June 10, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles E. Meacci, 323 Station Street, McDonald 15057, Washington County, Forty-sixth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul R. Schleich, Danville, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION**

July 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David A. Atkinson, 2024 Rock Fall Road, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
SELINSGROVE CENTER**

September 8, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ruthann Helfrick, RD 1, Box 140, Elysburg 17824, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Frank J. Fendt, Sunbury, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF SOCIAL  
WORKERS, MARRIAGE AND FAMILY THERAPISTS  
AND PROFESSIONAL COUNSELORS**

May 10, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Helen O'Neill Morris, 821 Briarwood Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, pursuant to Act 136, approved December 21, 1998.

THOMAS J. RIDGE  
Governor

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

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenn E. Orndorf, 21 Cedar Lane, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE TRANSPORTATION  
COMMISSION**

June 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jacob R. Bowers, 9 Reading Drive, Apt. 126, Wernersville 18565, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS**

July 23, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert G. Pickerill, 2311 Summit Pointe Drive, Scranton 18508, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF VETERINARY MEDICINE**

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James A. Orsini, V.M.D., 382 West Street Road, Kennett Square 19348, Chester County, Ninth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until his succes-

sor is appointed and qualified, but not longer than six months beyond that period, vice Jeffrey M. Ott, V.M.D., Greencastle, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
WERNERSVILLE STATE HOSPITAL

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pattee J. Miller, 855 North Park Road, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
WERNERSVILLE STATE HOSPITAL

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rachel M. Torres, 1100 E. Wyomissing Boulevard, 11-C, Reading 19611, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BEAVER COUNTY  
BOARD OF ASSISTANCE

July 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Allen Andrascik (Democrat), 396 Adams Street, Rochester 15074, Beaver County, Forty-seventh Senatorial District, for appointment as a member of the Beaver County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Leslie Jerome Dallas, Freedom, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BERKS COUNTY  
BOARD OF ASSISTANCE

July 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ruth Fister Mathews (Democrat), 1423 Old Wyomissing Road, Reading 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Berks County Board of Assistance, to serve until December 31, 2001, and until her successor is appointed and qualified, vice Joseph J. Rotell, Shillington, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BERKS COUNTY  
BOARD OF ASSISTANCE

August 9, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sister Bridget McNamara (Republican), 12<sup>th</sup> and Walnut Streets, P.O. Box 316, Reading 19603, Berks County, Eleventh Senatorial District, for appointment as a member of the Berks County Board of Assistance, to serve until December 31, 2001, and until her successor is appointed and qualified, vice Joseph J. Rotell, Shillington, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE FRANKLIN COUNTY  
BOARD OF ASSISTANCE

July 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Karl L. Thompson (Democrat), 124 Park Place West, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Franklin County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, vice Kathleen Shoop, Fannettsburg, deceased.

THOMAS J. RIDGE  
Governor

MEMBER OF THE MCKEAN COUNTY  
BOARD OF ASSISTANCE

July 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ruthann E. Saxman-Sauber (Republican), 730 South Avenue, Bradford 17601, McKean County, Twenty-fifth Senatorial District, for reappointment as a member of the McKean County Board of Assistance, to serve until December 31, 2000, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

July 2, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frederick W. Hauk (Republican), RD #1, Box 340-A, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 2001, and until his successor is appointed and qualified, add to complement.

THOMAS J. RIDGE Governor

DISTRICT JUSTICE

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Casimir T. Kosciolk, 370 Lake Drive, Nesquehoning 18240, Carbon County, Twenty-ninth Senatorial District, for appointment as District Justice, in and for the County of Carbon, Magisterial District 56-3-03, to serve until the first Monday of January 2000, vice Irene M. Hudasky, resigned.

THOMAS J. RIDGE Governor

DISTRICT JUSTICE

September 13, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Phillip L. Sweet, RR #5, Box 330A, Wellsboro 16901, Tioga County, Twenty-third Senatorial District, for appointment as District Justice, in and for the County of Tioga, Magisterial District 04-3-02, to serve until the first Monday of January 2000, vice William G. Farrell, resigned.

THOMAS J. RIDGE Governor

On the question, Will the Senate advise and consent to the nominations?

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

YEA-48

Table listing names of senators in support of the resolutions, including Armstrong, Belan, Bell, Boscola, Brightbill, Conti, Cormann, Costa, Dent, Greenleaf, Hart, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Piccola, Punt, Rhoades, Slocum, Stapleton, Stout, Thompson, Tilghman, Tomlinson, Wagner, Waugh, and Wenger.

Table listing names of senators: Earll, Fumo, Gerlach, LaValle, Lemmond, Loeper, Robbins, Salvatore, Schwartz, White, Williams, Wozniak.

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator SALVATORE. Mr. President, I move that the Executive Session do now rise. The motion was agreed to.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators MOWERY, MURPHY, WAGNER, STOUT, TOMLINSON, COSTA, THOMPSON, SALVATORE, HUGHES, DENT, O'PAKE, GERLACH, MADIGAN, MELLOW, BRIGHTBILL, EARLL, MUSTO, LAVALLE, SCHWARTZ, SLOCUM and LEMMOND, by unanimous consent, offered Senate Resolution No. 107, entitled:

A Resolution declaring the month of October 1999 as "Influenza and Pneumococcal Pneumonia Immunization Awareness Month" in Pennsylvania.

Which was read, considered and adopted.

Senators SALVATORE, O'PAKE, CONTI, WHITE, MOWERY, WENGER, ROBBINS, THOMPSON, COSTA, MURPHY, SCHWARTZ, EARLL, BRIGHTBILL, WOZNIAK, TOMLINSON, ARMSTRONG, LEMMOND, PUNT, MUSTO, HART, BOSCOLA, SLOCUM, RHOADES and KASUNIC, by unanimous consent, offered Senate Resolution No. 108, entitled:

A Resolution recognizing Pennsylvania credit unions during International Credit Union Week, October 17 through 23, 1999.

On the question, Will the Senate adopt the resolution?

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

Senator SALVATORE. Mr. President, I would just like to thank everyone for joining with me and congratulating the employees and members of the credit unions for being good business leaders to the community and to the Commonwealth.

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

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

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. Carl Hackman, Mr. and Mrs. Charles Gochner, Mr. and Mrs.

Paul Levine, Mr. and Mrs. Charles Hall, Mr. and Mrs. John Hogg, Mr. and Mrs. Newlin Groff, Mr. and Mrs. Harold Herr, Dean Ehrhardt, John Moeller and to the Quarryville Presbyterian Retirement Community by Senator Armstrong.

Congratulations of the Senate were extended to Bertha Mae Chaplin, Mary Levdansky, Theda Fuqua, Robert Murrin, Irene Shiring Keyser, Norma Beckett, Joyce Fiore, Dom Toretti, Margaret Loudin Kadar and to Louis Payne by Senator Belan.

Congratulations of the Senate were extended to Mr. and Mrs. James Andrew Dragoni, John Leonard McCabe III, Thomas Edward Robinson and to Stephen Edward Wylie by Senator Bell.

Congratulations of the Senate were extended to Local 520 Plumbers and Pipefitters Union by Senators Bell and Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. James Gould, Mr. and Mrs. Elmer Berger, Mr. and Mrs. Lou Benedict, Amanda Campbell and to the First Congregational Church of Pittsburgh by Senator Bodack.

Congratulations of the Senate were extended to Reverend Dr. and Mrs. Allen O. Miller, Reverend Thomas V. DiFede, Dr. Douglas R. Labar, Dr. Edward Traves, Gregory Simeon Dean, Budd Elton Ott, Matthew H. Tonkin, William C. Baer, Anthony Marrone, Kenton Michael Lerch, Donald M. Jones, Blake Bonser, Sacred Heart Hospital Latex Safety Project Team of Allentown, Benchmark Analytics of Center Valley, VICA-Bethlehem Area Vocational Technical School Virtuosos of Internet Communication & Application Team, VICA-Bethlehem Area Vocational Technical School Crackerjacks of Technology Team, C. F. Martin & Co. CNC Router Team of Nazareth, C. F. Martin & Co. Flexibility Plus Team of Nazareth, C. F. Martin & Co. Sawmill Team of Nazareth, Lehigh Valley Hospital Neonatology Operations Improvement Team, Lehigh Valley Hospital Balanced Scorecard Team, Lehigh Valley Hospital Fall Prevention Task Force Team, Mack Trucks Task Masters Team of Allentown, Lehigh Valley Hospital 6C Unit Staff Team, Easton Hospital Performance Review Team, Sacred Heart Hospital RAT Team of Allentown, C. F. Martin & Co. Bridge of the Future Team of Nazareth, C. F. Martin & Co. Warriors Against Waste Team of Nazareth, C. F. Martin & Co. String Business Team of Nazareth, C. F. Martin & Co. Block Heads Team of Nazareth, C. F. Martin & Co. of Nazareth, Easton Hospital Laboratory TAT Team, Easton Hospital Silver Spoons Team, Kraft Foods Swirls Action Team of Allentown, Packaging Corporation of America of Allentown, St. Luke's Hospital Clinic Team of Bethlehem, Mack Trucks Circuit Breakers Team of Allentown, C. F. Martin Guitar Co. DXM Guitar Team of Nazareth, Sacred Heart Hospital of Allentown and to the Sacred Heart Hospital Cardiovascular Service Line Team of Allentown by Senator Boscola.

Congratulations of the Senate were extended to Evelyn Sota by Senators Boscola and Dent.

Congratulations of the Senate were extended to Richard B. Roy, Jr., William Price, Robert Schmell, Chris Lewis, Jennifer Lewchick, David W. Kerr, Robert B. Hawkins, Robert A. Hager, Vincent Furia, David Polan, Mathew Gallagher, Adam S. Taylor, Jeff Wilson, Douglas Stover and to William Boorse by Senator Conti.

Congratulations of the Senate were extended to Aaronsburg Story and to the Bellefonte Family YMCA by Senator Corman.

Congratulations of the Senate were extended to Mary Leon Solomon, Flora Franzetta, Terry Dudley, Donald Dudley, Bill Pratt, Daniel Booker and to Frieda Shapira by Senator Costa.

Congratulations of the Senate were extended to Nicholas Schaffer by Senator Dent.

Congratulations of the Senate were extended to Dr. Elliot J. Sussman by Senators Dent, Boscola, and Gerlach.

Congratulations of the Senate were extended to Ken McMillan and to Boy Scout Troop 108 of East Greenville by Senator Gerlach.

Congratulations of the Senate were extended to Mr. and Mrs. John Harvey, Robert R. Hershman III, Vince Hastings, Scott Christopher Henley, Joseph Meehan, Jr., Daniel LaHart, Walter Boyce, Matthew Huggins, Thomas Gero and to Susan McGinnis-Brown by Senator Greenleaf.

Congratulations of the Senate were extended to North Penn High School of Lansdale by Senators Greenleaf and Holl.

Congratulations of the Senate were extended to Dawn Murphy, Moe Coleman, Todd R. Johnson, John C. Davidson, Sandy Andrews, Alcoa of Pittsburgh and to the Allegheny County Charter Drafting Committee by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Robert H. Riley, Charles W. Snyder and to Esther V. Renn-Jarrett by Senator Helfrick.

Congratulations of the Senate were extended to Stephen Michael Dougherty, Phil Hunt, Steve Cardell, Willard Troxel, Worchester Elementary School of Norristown and to Barren Hill Volunteer Fire Company by Senator Holl.

Congratulations of the Senate were extended to Paul L. Ruzicka by Senators Holl and Greenleaf.

Congratulations of the Senate were extended to Howard S. Deck, Frederick Gilliam and to Vivian Ramsey by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Stephen Osarczuk by Senator Jubelirer.

Congratulations of the Senate were extended to William R. Lloyd, Jr., Polish Heritage Club of Uniontown and to Business and Professional Women/USA, Scottdale Borough Chapter, by Senator Kasunic.

Congratulations of the Senate were extended to the New Directions Outreach Foundation of Philadelphia by Senator Kitchen.

Congratulations of the Senate were extended to Jason Thomas Silvis and to the Westmoreland Yough Trail Chapter by Senator Kukovich.

Congratulations of the Senate were extended to Flora Rittenhouse, Genevieve Weaver, Irene Maisch and to William K. Richards by Senator Lemmond.

Congratulations of the Senate were extended to Anthony Santoli by Senators Lemmond and Mellow.

Congratulations of the Senate were extended to S. Matthew Perrone by Senator Loeper.

Congratulations of the Senate were extended to Mr. and Mrs. David L. Poust, Mr. and Mrs. George H. Hutchinson, Mr. and Mrs. Kenneth Caputo, Mr. and Mrs. Bernard Haas, Mr. and

Mrs. Larue Haight, Mr. and Mrs. George Oldroyd, Mr. and Mrs. Patrick Barrett, Carolyn Emma Hoover, Dr. Donald H. Smith and to the Kiwanis Club of Williamsport by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Sparrow, Mr. and Mrs. John Bonda and to Jeffrey Allan Benson by Senator Mellow.

Congratulations of the Senate were extended to Adam J. Della-Croce, Madalene J. Kenney, Stephen F. Goddin and to Esther Rodgers by Senator Mowery.

Congratulations of the Senate were extended to Pittsburgh Air Defense Technicians, 176<sup>th</sup> Artillery, and to the Xing Zhi School District of Shanghai, China, by Senator Murphy.

Congratulations of the Senate were extended to Ed Williamson, Brother John T. Gibbons, Reverend Harold Hocking, Reverend Francis Wallner and to Boy Scout Troop 543 of Plowville by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. Donald L. Cordelli, Anna Baldwin, Margaret Eberly, Ethel Souders, Jean Soltis, Mildred Le Van and to Esther Goldstein by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Peter Harvilicz, Paul Wetterau, Phyllis E. Hesser, Joseph McElvane, Michael J. Towle, Joseph P. Moyle, Joseph L. Alfano, Aaron Stepanchick and to the Panther Creek Partners of Nesquehoning by Senator Rhoades.

Congratulations of the Senate were extended to Benjamin L. Haag, Joseph M. Votino, Anthony Quindardo, Michael Jehn, Ronald K. Haywood, James Williard and to the Lake Shore Railway Historical Society, Inc., by Senator Robbins.

Congratulations of the Senate were extended to the Honorable Johnny J. Butler by Senator Salvatore.

Congratulations of the Senate were extended to Roger M. Scott, Benjamin Netanyahu, JoAnne A. Epps, Wallace Triplett III, Bernard Fishman, Sylvan Tobin, Michael R. Belman, Dr. Karen Folger Jacobs, Joseph Smukler and to Bridging the Gaps: Community Health Program of Philadelphia, by Senator Schwartz.

Congratulations of the Senate were extended to John A. Dawley and to SGL Corporation of St. Marys by Senator Slocum.

Congratulations of the Senate were extended to James W. and Joyce L. Smathers, Eric Polenik and to the Eighth Air Force Historical Society/Western Pennsylvania Wing, by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Romano, Mr. and Mrs. Willard Hudak, Mr. and Mrs. Francis DeRose, Bill Marsden and to the Monongahela Volunteer Fire Department by Senator Stout.

Congratulations of the Senate were extended to Bethel Chapel Church of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to Nathan Doyle and to Michael P. Streitel by Senator Thompson.

Congratulations of the Senate were extended to the Chester County Opportunities Industrialization Center by Senators Thompson and Gerlach.

Congratulations of the Senate were extended to the Southeast Pennsylvania Chapter of the March of Dimes by Senator Thompson and others.

Congratulations of the Senate were extended to Graham Andrews, James L. Crawford, Jr., and to Edmund Lee Goldsborough III by Senator Tilghman.

Congratulations of the Senate were extended to Jeffrey Michael Marino, Robert McDowell, Joan Hayes, Sabine Lovins, Stephanie Farrell, John Shannon, Raymond F. George, Jr., Steven Moran, Gazela and to Novolog Bucks County, Inc., by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur Hufnagel, Steven Michael Gibson, Chang Su Kim and to Josh Young by Senator Waugh.

Congratulations of the Senate were extended to Ivan R. Yost by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Glenn Stewart by Senator White.

Congratulations of the Senate were extended to Reverend Dr. William J. Shaw, Kenneth Gamble, Dr. Gerald Early, Head Start Learning Tree of Philadelphia and to Universal Community Homes of Philadelphia by Senator Williams.

Congratulations of the Senate were extended to Edward Leak and to Tamlin L. Henry by Senators Williams and Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Harry Evans, Mr. and Mrs. Dick Gates, Mr. and Mrs. Stephen Oleksa, Mr. and Mrs. Andrew Mandichak, Mr. and Mrs. John Calik, Benjamin Miller, Margaret Hillenbrand, Knights of Columbus, Johnstown Council No. 467, and to St. Mary Antiochian Orthodox Christian Church of Johnstown 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 John T. Welsh, Sr., by Senator Conti.

Condolences of the Senate were extended to the family of the late Rosalie Collins Strawberry by Senator Hughes.

Condolences of the Senate were extended to the family of the late Barbara Purnell and to the family of the late Mary Redd by Senator Kitchen.

## BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

**SB 842, SB 976, SB 1003, SB 1047 and HB 643.**

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

### ANNOUNCEMENT BY MAJORITY LEADER

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

Senator LOEPER. Mr. President, I ask all Members of the Committee on Local Government to report to the Rules room for an off-the-floor committee meeting that was announced earlier, if that committee meeting will now commence, and we will continue with the business of the day.

The PRESIDENT. Senator Loeper has requested that all Members of the Committee on Local Government make their way to the Rules room immediately.

### PETITIONS AND REMONSTRANCES

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

Senator SLOCUM. Mr. President, today I had the opportunity to unveil a package, along with my colleagues, Senator Wenger and Senator Conti, to address the drought relief situation for the farmers in the Commonwealth. After a lot of careful thought and consideration, we felt that we needed to do something for the farmers and we needed to do it right and do it in a fiscally responsible manner. So today we introduced a package that consists of three different parts to help the farmers who are most in need. The intention of the package is that we want to reach as wide a spectrum of the agricultural community as possible, especially crop producers, cash grain farmers, and our dairy farmers as well. It does not have an answer for every problem, nor is it a magic cure for what ails our agricultural community, but it does provide a measure of relief for our farmers who are adversely affected by the drought.

The first proposal contains an appropriation of \$25 million, which provides for reimbursement of 15 percent of the cost of seeds and plants that were purchased for the 1999 growing season to all Pennsylvania farmers who can document a 30-percent or more total crop loss from the drought. The documentation is to be done on an individual basis. In many instances, farmers only miles apart and in the same county were affected vastly differently by this drought. In my district we had farmers on one side of the hill who had a good season and farmers on the other side of the hill who did not.

The Department of Agriculture will be instructed to develop and administer the program, based on self-certification of drought loss and the cost of seeds and plants purchased for the 1999 growing season which will be verified by receipt. The self-certification process is what the department developed and is currently using for the Governor's Hay and Transportation Assistance Program. The department can solicit the help of any other organization, institution, or government agency to develop and administer this program. The payments will be made directly to the producers. This program will reach the largest amount of producers, from those who raise grain for their livestock or for sale to others, to those who produce specialty crops.

The second part of the package is a \$20 million appropriation which has the same basis as proposal number one, but it will be a direct payment for 15 percent of the cost of fertilizers and lime for the 1999 growing season. Again, this will be a

direct payment to the producers. This program is especially important for our production farmers who do not have livestock which produce the necessary nutrients to be used on their fields and must therefore produce larger amounts of fertilizers and lime.

The third part of the package also adds \$5 million to the Governor's Hay and Transportation Assistance Program. That program is currently administered by the Department of Agriculture with cooperation from the Penn State Cooperative Extension Service and the USDA Farm Service Agency. The Governor's plan, as is, contributes about 60,000 tons of hay or approximately 40 percent of the shortfall caused by the drought. This addition will pick up another 40 percent. Our program will double the purchasing capacity of the program. It is extremely important for our dairy and livestock producers.

So you see, Mr. President, we have not been sitting on our hands. We have taken a careful look at what was necessary and a careful look at trying to be able to reach all of our farmers and doing it on an individual basis in such a manner that we brought the most help we could afford to the most number of farmers who really had that need.

I would at this time ask that all of our colleagues who have an interest in this in a bipartisan manner to come forward and cosponsor this legislation. I think it is a carefully thought-out package. It is well put together, and I think it is fiscally conservative in realizing that agriculture is our number one industry and is in dire need. We also must realize that we need to be fiscally prudent and provide them with the help they need to get restarted and only help those who really need help. Previous programs of outright cash grants at times have been sent to farmers who really did not need help back in the flood of 1973, if my memory is correct. But I think this package is specific. It is a specific amount of money designed for specific purposes to get to the point of need to those farmers who have the largest need.

So I again ask my colleagues on both side of the aisle to come on board and cosponsor this package of legislation. We believe it is the best we can do at this time and we certainly would continue to encourage that we get additional support from Washington at the Federal level, because optimally it is their responsibility to help us and to help the farmers, but this program will help immediately and will get to work on the job.

Thank you, Mr. President.

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

Senator MELLOW. Mr. President, I had no reason today to involve myself in any discussion or debate because I thought the discussion on a statewide building code was done in an excellent manner. I believe also that the discussion we had earlier today about the \$2 million for the World War II Veterans Monument in Washington, D.C., was handled appropriately, although I totally disagree with the way the Majority party amended the bill for the purpose of not allowing Senator Boscola the opportunity to put an amendment into the bill or at least to offer an amendment to the bill to try to give some relief to farmers who suffered because of the drought, Mr. President, and badly needed drought relief.

But, Mr. President, I have heard a lot of discussion on this floor about a number of issues, and I was here in 1973 when cash grants were given to farmers who maybe did not need them. I do not think there were any farmers in 1973 who went through the devastation of the Agnes flood who did not need the cash grant of \$5,000 that they were given.

Mr. President, relief to the farmers had to be given in August, not when we come back into Session and start talking about a legislative program on October 18, the day that we come back into Session. The gentleman talked about a program of, I assume, three bills, one of \$25 million with some type of 15 percent direct payment, and I was not really certain as to the statement that was given. The other one was for \$20 million, Mr. President, with another 15 percent direct payment once farmers can justify what their cost is for feed, and then a \$5 million increase in the appropriation, or a total of \$50 million. I assume this is the Republican answer to the Pennsylvania farmer as to why they have not been given some type of relief for the drought of the summer of 1999, when we are now approaching the winter of 1999.

Mr. President, we had the opportunity today on the floor of this Senate to put aside all the political rhetoric and to deal with the issues that were forthcoming. Senate Bill No. 1050, which is a great proposal, was introduced as an appropriation bill and reported out of the Committee on Appropriations last week. But the moment Senator Boscola had a news conference last week and talked about the problem with the drought and her willingness to help farmers, that is when we came up with innovative legislation and innovative amendments to legislation to take an appropriation bill and change it to a nonpreferred appropriation bill that would need a vote of two-thirds majority. Because we did not allow that bill on the floor of the Senate to remain the way it was for fear that Senator Boscola would offer the amendment, perhaps the package that was referred to by the previous speaker in, I understand, a news conference that took place today, maybe that would not be considered, because perhaps there would be 26 Members in this Chamber who would see fit to vote in favor of the farmer, who would see fit to say to the individual farmer that, yes, we the General Assembly sitting on tremendous surpluses of money, a surplus that exceeded \$750 million this particular year, a surplus right now as we talk that has not been distributed yet approaching \$86 million, that maybe we could have met the needs of the farmer right now.

Senator Boscola talked last week in her news conference of taking a percentage of the interest only in the Rainy Day Fund and making that money available to the farmers in Pennsylvania now. Quite honestly, we should have been back in Session in late summer to address the issue. But to stand on the floor of the Senate today and tell us that we are now going to come up with a legislative package of \$50 million to meet the needs of the farmer when we could have addressed the issue today in Senate Bill No. 1050, instead what did we do? We once again took a very crafty way of trying to circumvent the legislature by coming up with a nonpreferred appropriation. That has taken us to a new level.

I was here in 1973. I voted for that money to help that farmer in 1973. I do not know who did not need the money, but cer-

tainly no farmer who suffered devastation in that flood some 26 years ago said to us, do not give us the money, even though our farm has been destroyed by flood waters, because we do not need it. No farmer in my district has come to me and said, please do not give us any type of a grant program because this is a knee-jerk reaction, which was stated by a Republican Member on the floor of the Senate last week, this is a knee-jerk reaction to help the farmers. We do not just want to give money away.

Mr. President, we have a problem in Pennsylvania. It deals with our farmers. Agriculture is the number one industry in the Commonwealth. We have turned our backs, as a General Assembly and as a government, on the needs of the Pennsylvania farmer. We had the opportunity today to do that. We did not do it. We changed the bill from an appropriation to something other than a direct appropriation so that we would not have to face the issue on the floor of the Senate through the amendment process by Senator Boscola to give immediate aid to farmers. And now we have a proposal that once farmers document and justify the loss that they have through bills for feed, we might be able to give them 15 percent of something that is worth an appropriation of \$25 million or another program of \$20 million or another program of \$5 million. Why do we not cut the gobbledygook, why do we not give the farmers what they need, which is direct relief right now?

The farmers in Pennsylvania are in part responsible for the tremendous surplus that we have in State government. Why are we turning our backs on people who provide not only the food operation in Pennsylvania and not only the food that takes care of the needs of the people throughout this great country of ours, but they are the bedrock, the backbone of Pennsylvania, and they ask for nothing.

And I was not going to enter into this discussion today with regard to the drought and with regard to not allowing Senator Boscola to offer her amendment, but there was a proposal made on this floor that is a meaningless proposal. We are not in Session next week. We are going to be in Session probably no more than 3 weeks before the end of the year. When are the farmers going to get their money? Once they make their certification about the kinds of bills they have, when are they going to get their money, or are they going to get any money?

Is this the same thing that we went through back in the flood just a few years ago when we had a Special Session and all kinds of promises were made through a capital budget that was supposed to have been negotiated in excess of \$100 million? And the people in the district that I represent, through this negotiated capital budget, guess what? They are still waiting for their money. They are not going to get it. They were deceived. They were misled by people in Harrisburg.

Farmers do not need to be deceived. They do not need to be misled. When you look at the hands of a farmer, the calluses would make you cry the way their hands bleed. The hard work they do to help the people of Pennsylvania and to be able to deliver food to the market of Pennsylvania is incredible. The hours of work they put in are unbelievable, far more than what most of us do here in the Senate of Pennsylvania, and they ask for nothing. And when we had the opportunity today to give

them a grant, what did we do for political purposes and political purposes only? We changed an appropriation bill that was here on the floor of this Senate when we could have given them money in many different ways. We changed that to a nonpreferred appropriation bill, which took a two-thirds vote in this Chamber to pass and will take a two-thirds vote in that other Chamber to pass, solely for the purpose of not allowing that Senator from the Lehigh Valley the opportunity to aid the farmers, who are not Democrats or Republicans. They do not have political labels. They are very hardworking people who want help, and we had the opportunity to do it today and we did not do it, but I guess now we are going to have another opportunity of addressing bills that will approximate \$50 million in expenditures. I do not know where the money is going to come from because I have been told there is no money available, at least not initially, to make these grants possible. So I do not know where this money is going to come from, and we are going to once again put the burden on the farmer who has been severely impacted because of the drought of 1999 and make them come up with unnecessary documentation to give them money that they so vitally deserve and need.

Mr. President, it is unfortunate that we in this Chamber and that Chamber across the Rotunda have not owned up to our responsibility and met the needs of the farmer now and have once again put it off to another day.

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

Senator WENGER. Mr. President, listening to the Minority Leader's dissertation here and explaining to us the situation on the farms and in the farm families and the farm homes across Pennsylvania, I thought that perhaps since I am one of the few remaining farmers left in the Senate I should make some comments on that subject.

The farm families in Pennsylvania are a very resilient lot of people. They know what it is to have good years and they know what it is to have some not so good years, and they have learned to be pretty good managers. If they had not learned that, they would not have survived. They work very hard, there is no question about that. My wife and I and our young daughters were full-time farmers with no other source of income for a period of 20 years prior to me coming to the State legislature. So I participated in that kind of scenario here and they were some of the best years of our lives because we enjoyed doing that.

Because they are good managers, farmers have learned to manage their risks to as great an extent as possible. And so when you have a year that is not so good, farmers do not come asking for assistance, because it is part of their lifestyle and the way they have to live, and they tighten their belts and they hope that next year will be better. But this year is different. This is not a bad year. This is a disastrous year. It is a year that has been declared officially as a disaster year, and we find that many farmers are having, in some cases, almost a total loss of their crops.

But you have to realize that farming goes by seasons, and the gentleman in his dissertation said that, well, it was too late. We should have dealt with this earlier in the summer, and some parts of this package we could have dealt with earlier in the

summer, but some parts are a lot better to deal with now than it would have been then. Because you have to realize that in the case of, let us say, a grain farmer who planted his crop of corn--and the wheat and barley were not so impacted because they were harvested earlier in the summer before the drought had its devastating impact--but if you were raising a crop of corn, you would be harvesting that corn about now and then you would be marketing that corn, if you were a cash grain farmer, from now until the spring of the year 2000, depending on what your storage program was and what your financial program was. So even if they would have had a bumper crop, those farmers would not have realized money in their pockets or money in the bank up to this point.

And so, if we act expeditiously on the bills that have been announced today, which deal specifically with the needs of cash grain farmers, with the needs of those farmers who grow grain to feed their own livestock, and with the needs of the farmers who have livestock and need to purchase grain or hay, it deals with all three of those aspects and it deals with those who grow specialty crops such as fruit and vegetables, and so forth, or tobacco, those kinds of crops, we are timely because they would not have realized a lot of income prior to this anyhow.

However, if we dilly-dally now and deal in a lot of fancy rhetoric and fail to move ahead, then, yes, we are going to be late. And so the bills that we have before us, which I will be pleased to go over with anyone, I am not going to take a lot of time at this point to do that, to look at all the points that we have addressed, and I will say this, this package of three bills will be in the Committee on Agriculture and Rural Affairs for a brief period of time, and if there is a need to amend those bills, to address, be more specific, then we can do that as well. But we need to deal with it promptly or we will indeed, as the gentleman indicated earlier, we could be late. We are not late now, we are just about on time.

The gentleman spoke about having unnecessary documentation. We do not call for unnecessary documentation. All we ask for is acceptable documentation because we want the program to have credibility, and we want to be sure that there are legitimate farmers who had indeed expended funds to purchase seeds and plants and fertilizers, and what have you, to go into their crop, and as soon as that is established, and their loss needs to be at least 30 percent, then we can process the funds. We do need to appropriate, however, the dollars, and that is part of our responsibility here. The bills provide for \$50 million, and I would suggest that we continue to call upon the Federal government to be responsible and provide additional assistance. If they can provide additional assistance beyond what we call for here, then so much the better. If there is overlapping or duplication, we can deal with that as well.

But I would say this: We are not looking in these bills to make farm families in Pennsylvania completely whole, because that would require many times more dollars. We realize that. But we believe that this is sufficient to help them over this very difficult year so that they will continue to be in business and be in business next year, which we hope will be a better year.

So I think we have a well-rounded program. I invite all my colleagues, and I know some of you have a sincere interest-

Senator Boscola has a sincere interest and I know farmers in her senatorial district have problems, just like farmers in my senatorial district—and I think if we work together we are on a timely basis and we can meet this tremendous need that has been brought upon agriculture in Pennsylvania, and it is certainly something that we need to deal with.

Thank you very much.

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

Senator BOSCOLA. Mr. President, I was really heartened to hear in Petitions and Remonstrances the emergency help that we need for farmers on both the Democratic and Republican side of the aisle, but I also wanted to talk about a roundtable discussion I had last week. When I stood at this microphone a week ago and talked about the plight of the farmers, subsequently at a roundtable discussion with the farming community, I want to talk about some of those points. But I also wanted to say that just because it is raining today and the Governor has lifted the statewide water restrictions to end the drought emergency, our family farmers need help and they need help right now, not 2 weeks from now, not a month from now, not 2 months from now. If we wait until the end of the year, it is way too late, and I want to tell you from some of the quotes I have from some of the farmers why that is. In fact, one of them said to me, Lisa, we do not need help now, we needed it yesterday.

Last week, it was interesting. I made a statement that shocked some of my colleagues, and they actually disagreed with me. Some of them even went so far as to say, well, this is nothing serious. You know our farmers will get by like they did in the past, so when I went back to my district and sat down with farmers, farm creditors, realtors, farm equipment dealers, suppliers, officials from the USDA, the Farm Bureau, local cooperative extension, 12 people in all, what I learned from this roundtable discussion really did surprise me. I mean, you see, I thought that our family farmers, and this is what came out of this roundtable discussion, needed our help now, but all of them said we needed help yesterday. Mr. President, it is already too late for us to help many of the farmers in my district continue farming.

Since June, I have heard everyone from the Governor to the Secretary of Agriculture say that State government should just please stand back and let us see what the Federal government does. And most of the Federal aid comes in low-interest loans. Well, last week I heard farmers in my district tell me they cannot afford another loan. There are 498 farms in Northampton County, and guess how many farmers, guess how many applied for Federal low-interest loans? One. Just one. And you know why? Because they cannot afford to pay back another loan. So much for help from Washington.

One of the farmers who was sitting around this roundtable was Harold Kreger, who owns a farm in Polk Township in my district, and he said to me, this year my yields are down to nothing or next to nothing, but I will have to buy supplies for next spring. I have been farming all my life, he said. I am a third-generation farmer, but I have three sons and they will not be farming because they see just how hard it is to make a living.

Eileen Austin grows grapes at the Franklin Hill vineyards in my district. Because of the drought, Eileen's 13-acre vineyard produced 37 tons of grapes to be made into Pennsylvania wine. Thirty-seven tons, but what she needed to harvest was 92 tons just to get by and pay her bills this year.

Doug Walker, who is president of Northampton County Seed Company, knows this crisis is real because his job depends on farmers staying in business. Doug summed the situation up this way: Every day you waste talking about it is a day where one more farmer says I am not going to do it anymore. It is a whole lot easier for them to pick up the phone, call some developer, and talk about selling the farm. Doug urged me to come back to you, my colleagues, to do all that we can to help our farmers. He said, any help you can give will give the farmer some reason of hope, hope that there is something coming down the line besides another train that is going to hit them.

Mr. President, as everyone around the table took turns talking, I heard stories about a farmer who bought \$200,000 worth of machinery and then called up the ag dealer and said, take it back, I cannot pay for it. I heard the loan officer from Keystone Farm Credit tell me that he is anticipating a jump in the customer default rate in the spring because right now farmers are living on last year's inventory and looking for a way to possibly restructure the loans they already have. And I have had farmers—this is interesting—tell me that fuel prices have gone up \$.30 a gallon, but farmers are getting paid less for grain than they were 30 years ago, and where a dozen eggs used to sell for \$1, today they sell for \$.69. I heard farmers tell me they are canceling orders for farm equipment because they cannot make the payments, and farmers who told me their employees, their help, they are telling them to look for work elsewhere.

I also heard, and this probably was the most disturbing thing that came from the roundtable discussion, in fact, it disturbed my reporters who were there as well, a local realtor predicted a marked increase in the number of farms that will be up for sale within the next 24 months. He based his prediction on two factors: one, the drought has stretched farmers to a situation where they cannot be stretched any longer; second, the demand for farmland is incredible to the point where developers are paying 1 1/2 times the normal price for an acre of farmland.

Now, I am telling you what is going on here. We have developers flying like vultures around farmers who have taken serious hits this year, and when land is available for 1 1/2 times the price, I asked the farmer, why do you not sell? If the drought has hit you so hard that you cannot stay in business and the developers are offering you so much money for your land, why are you staying in business? Do you know what they said to me? Because we love farming. No farmer ever went into this business because they wanted to get rich.

Last week I heard here on the floor that there is no drought crisis for farmers because none of the farmers picked up the phone and called them. Well, I asked the farmers around the table to address that statement. They acknowledged that they are very self-reliant, that they are proud and they are stubborn, hard workers. But they also told me, farmers are quiet drowners.

Ken Wedde, a farmer from Northampton County, put it this way: A lot of farmers are in denial. They have not even walked

their fields in months because they are afraid to. It is like a death in the family. They do not want to acknowledge it, but in the next few months they are going to have to face the facts.

Mr. President, I was impressed with the resolve that I heard from these farmers. No farmer went, as I said, into the business of farming to get rich, but at least they want to make a living. And what I would like to impress here is that we should all be representing the resolve that they have, the resolve to pass some aid to help them out of this drought situation.

I would also like to repeat the words of Ray Mack, a dairy farmer in my district. Ray said something to me last week that I think deserves to be preserved in the pages of the Senate Journal as an example of the commonsense approach to solving the problems of what we have learned today. He said, government is always giving money to preserve farmland, but what about preserving the farmer?

In closing, Mr. President, I think today we missed a golden opportunity to do more than just talk, just talk about helping our farmers. And for me personally, I apologize to farmers throughout Pennsylvania. We did have the chance to help them today. Politics got in the way. But I am from the belief that if someone needs help, doing nothing is never the answer. But I will continue my fight, Mr. President, and in the next 2 weeks when we come back into Session, I am going to see if any of these bills that have been offered, especially the Republican package, if we are seeing movement in the Senate Committee on Agriculture and Rural Affairs. I am glad that package was developed by the Republican Party to help our farmers, and I will be a cosponsor.

But what I hope, Mr. President, you know that bill that the Republicans crafted today? I hope that bill moves as quickly through the Committee on Agriculture and Rural Affairs and through the Senate and through the House as that stadium-funding bill did a couple of months ago. Three hundred and twenty million dollars for sports stadiums, and Senate Republicans are asking for \$50 million. Let us please commit ourselves to passing that relief bill for farmers just as quickly as we did stadium funding.

Thank you, Mr. President.

**The PRESIDING OFFICER (Noah W. Wenger) in the Chair.**

**The PRESIDING OFFICER.** The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

**Senator GREENLEAF.** Mr. President, I rise to discuss Senate Bill No. 647, which the Senate just passed, and I thought it was important for me to get up to explain why I voted against that piece of legislation. This is a statewide building code, admittedly, but it is a minimum code, and although there may be some communities that do not have a building code, the communities that I represent in my senatorial district do have building codes and they have substantial building codes that protect people, in fact going well beyond the provisions set forth in this legislation. And what this legislation would do is basically take away their sole discretion in passing a code that would go beyond the minimum code and provide additional protections against fire and injury and damage to individuals and to their property.

There was a letter sent out by the Pennsylvania State Association of Township Supervisors opposing this legislation for that reason, of course, and specifically that would take away their discretion in adopting this. I know that the Builders Association would like to have a minimum code, and certainly their arguments are persuasive in many ways, but that was accomplished by the previous bill that we had when it came out of the Committee on Appropriations that would establish a minimum code that I voted for, but that did not take away the discretion of the townships and the boroughs in adopting a more stringent code, a code that went beyond what the minimum code was, and that would provide for additional protections of the homeowners whom I represent and the townships and boroughs that I represent in my senatorial district.

I would also like to thank the Senate for passing Senate Bill No. 844, of which I was the sponsor, that protects any Good Samaritan who comes to the aid of a victim of a violent crime. Under that bill, anyone who was a victim subjected to potential death or serious injury, robbery, burglary, kidnaping, or violent sexual assault, this bill would provide immunity for that Good Samaritan if they came to that individual's aid and they would not be subject to civil damages or a civil suit. Exceptions to that would be if there was gross negligence or reckless conduct. Massachusetts, Delaware, and West Virginia have similar measures, and I think it was important for the Senate to adopt this unanimously. We have done this in previous Sessions, and I am hopeful at this time that the House will pass it, for certainly someone who comes to the aid of a victim of a crime, not only do they risk their physical injury, but they should not have to risk civil damages and possibly financial risks if they do as well, and this bill would remove that impediment.

I thank the Senate.

**The PRESIDING OFFICER.** The Chair recognizes the gentleman from Philadelphia, Senator Williams.

**Senator WILLIAMS.** Mr. President, the previous speaker who spoke regarding the issue of farmers and the drought in Pennsylvania was one that took me with a great deal of passion, and not only passion but a great deal of logic. I stand in support of what she is attempting to do, and it is unfortunate that we have not moved in more expedient measures to support those who cannot support themselves anymore. But logically, and most times in these bodies we are not logical, the reality is for Pennsylvania, and I guess we have a slogan here, "You've Got a Friend in Pennsylvania," this is a time to show that kind of Quaker value, and equally as important, it is now time for those of us who are so worried about corporations and making sure that Pennsylvania is an attractive place economically to salvage the number one economy in Pennsylvania.

But in addition to that, I would like to expand my comments to the area of not just droughts but the phenomena of droughts, floods, and blizzards. Natural phenomena are no longer a unique item across the nation, and certainly not in Pennsylvania. Natural disasters are something that Pennsylvania has to finally deal with. Many Commonwealths and States across this country have found the resolve to create disaster relief funds. Pennsylvania has not done that. They have not done that for reasons such as constitutional ones or for lack of matching dol-

lars from the Federal government. None of those withstanding, the reality is that we have a responsibility to the citizenry of Pennsylvania to provide that kind of protection. We no longer should have people in Darby or Eastwicks, or in Beaver County, or wherever those farmers are, or people who have suffered from the flood, looking towards insurance companies or family savings, or frankly being put out of a home that they have owned for the last 30 years and being scared to death of what they are going to do with their children when we should have the protection of the State, not leaning upon the Federal government, but the protection of this State for those citizens.

People in Darby and Eastwicks are part of my district. They unfortunately received the unwelcome greeting of Hurricane Floyd. They received it in record numbers to the point of where I have heard consistently we were not prepared. My public comments with regard to how we improve that preparedness are for someplace else. This goes to the direct bottom line. These people need financial assistance and they need it, as it was already described, yesterday. Let me describe Eastwicks and let me describe Darby. These are not communities where people have handouts. They are not farmers, but they certainly are hard-working people. They are people who own their homes and raised their families for generations. They are people that the city of Philadelphia is proud to have as taxpayers, and Darby and Delaware County are proud to have as taxpayers. But increasingly, I and others are hearing, I am going to sell. I am going to walk away from this mortgage and take the bad credit and move someplace else, or I want a buyout. The bottom line is that their bottom line is not being addressed and not being met.

The drought victims, the hurricane victims, the people who have suffered through blizzards, require and demand our quick and expeditious action, and so I am pleased that we are moving with a drought relief package, but I would much prefer to see a disaster relief package. I would much prefer to see the \$50 million raised to a reasonable humanistic level. Fifty million dollars is a drop in our billion-dollar surplus, and more importantly, it does not even meet the humanistic need that is required to provide for the relief for farmers, let alone those who have been affected by this flood.

It is my hope that my request does not fall upon vacant ears, that this Governor, that this Commonwealth, that this legislative body of the Senate and the House will move expeditiously to provide for this broad-ranging kind of relief. We all know that the return will be a full farm, a restored economy, and homes which are not vacated. We all recognize that the value in that is even more penetrative than those that we have given to corporations that we are hoping to attract. We have these precious resources here. We do not want them to leave and go to another part of this country. We have this generation of taxpayers before us. They do not come to us very often asking for anything, frankly. They just give, give, and give every year of their taxes, and we give them back to corporations. We need to begin to give to human beings, to citizens, to property owners. Those who invested in Pennsylvania deserve a return of those tax dollars. It is a one-time investment that will be returned ten-fold, because not only will that family not move, but that next genera-

tion, that child will be raised with the understanding that Pennsylvania truly is a friendly State and will decide to keep their family here. And if corporations come in the flocks that we are hoping that they come, they certainly will have a place to work.

So it is my hope that we will create a disaster relief fund, that those bills will change to include the victims of the hurricane, that we will be looking forward into what will occur, unfortunately, many times over, and we will create a fund that will provide relief as Pennsylvanians, and we will no longer look to the Federal government to do what we should do first. We will hold the Federal government accountable, but most importantly, charity starts at home.

Thank you, Mr. President.

### REPORT FROM COMMITTEE

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

#### HB 148 (Pr. No. 2403) (Amended)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, authorizing county appropriations for the observance of Flag Day, and further providing for payments to historical societies.

### BILL ON FIRST CONSIDERATION

Senator LOEPER. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

#### HB 148.

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

### COMMUNICATIONS FROM THE GOVERNOR

#### NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE  
ATHLETIC COMMISSION

October 5, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George Bochetto, Esquire, 1420 Locust Street, Unit 6-A, Philadelphia 19102, Philadelphia County, First Senatorial District, for reappointment as a member of the State

Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE FARM PRODUCTS  
SHOW COMMISSION

October 5, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harry H. Bachman, 138 College Avenue, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the State Farm Products Show Commission, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE FARM PRODUCTS  
SHOW COMMISSION

October 5, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Beverly K. Gruber, 5265 Sell Road, New Tripoli 18066, Lehigh County, Forty-eighth Senatorial District, for reappointment as a member of the State Farm Products Show Commission, to serve for a term of four years and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**ADJOURNMENT**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, at this time I move that the Senate do now adjourn until Monday, October 18, 1999, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 5 p.m., Eastern Daylight Saving Time.